

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ASTRAZENECA AB; AKTIEBOLAGET
HASSLE; ASTRAZENECA LP; KBI INC.;
and KBI-E INC.,

Plaintiffs and
Counterclaim-Defendants

Civil Action No. 3:11-CV-00760-JAP-TJB

Judge Joel A. Pisano
Magistrate Judge Tonianne J. Bongiovanni

v.

CONFIDENTIAL-FILED UNDER SEAL

HANMI USA, INC., HANMI
PHARMACEUTICAL CO., LTD., HANMI
FINE CHEMICAL CO., LTD, and HANMI
HOLDINGS CO., LTD.

Defendants and
Counterclaim-Plaintiffs.

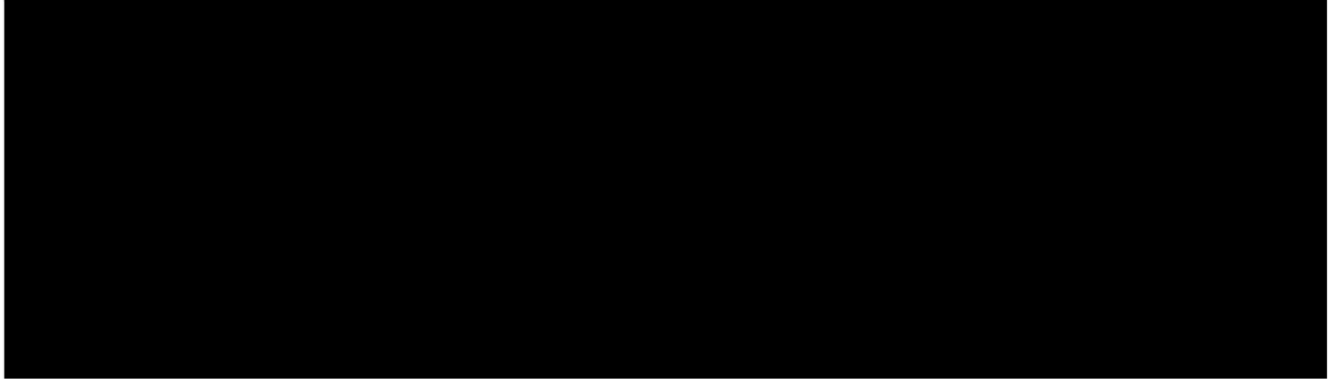
**DECLARATION OF PHILIP B. NELSON, PH.D.
IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

September 6, 2013


EXHIBITS

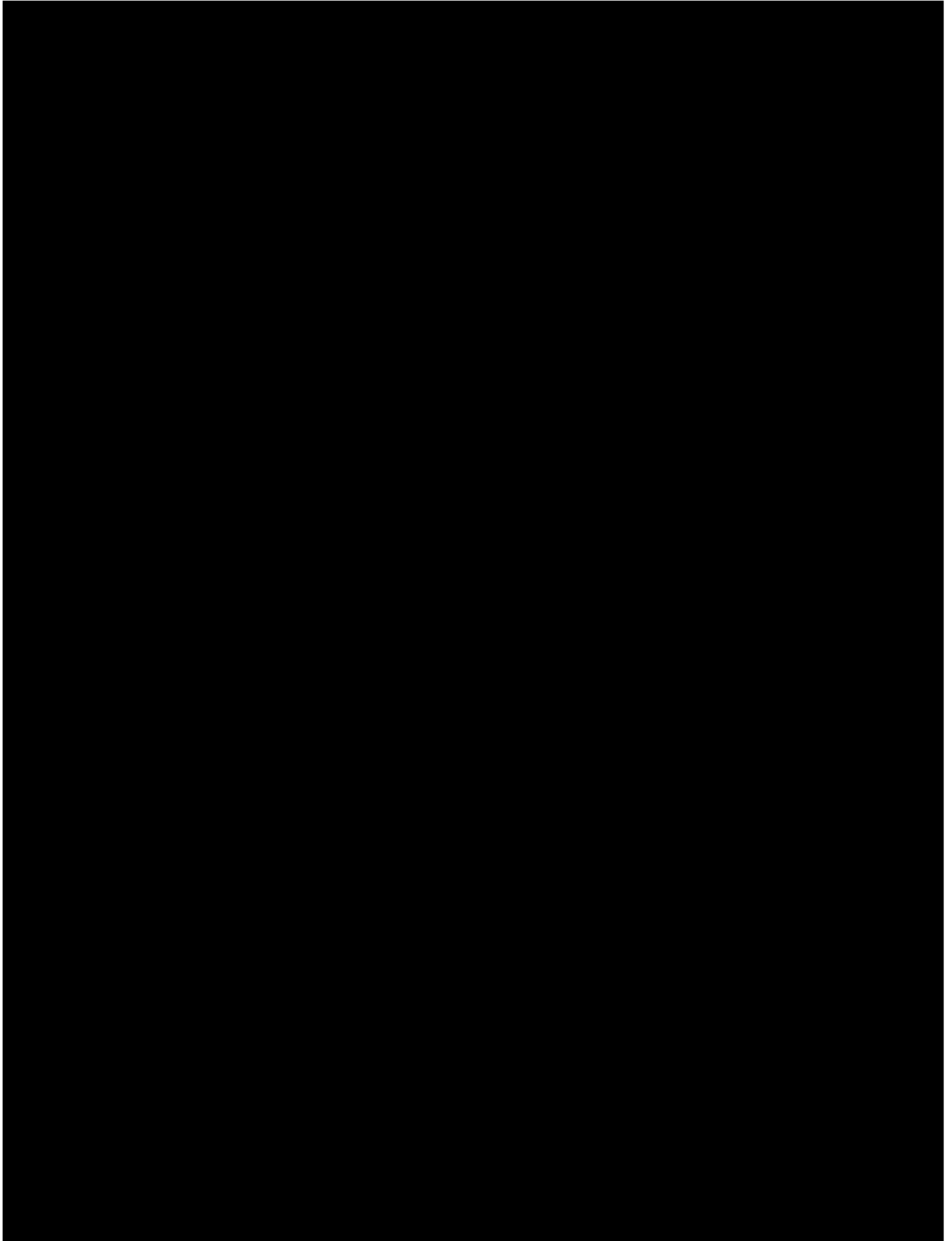
Exhibit 1 Curriculum Vitae of Philip B. Nelson

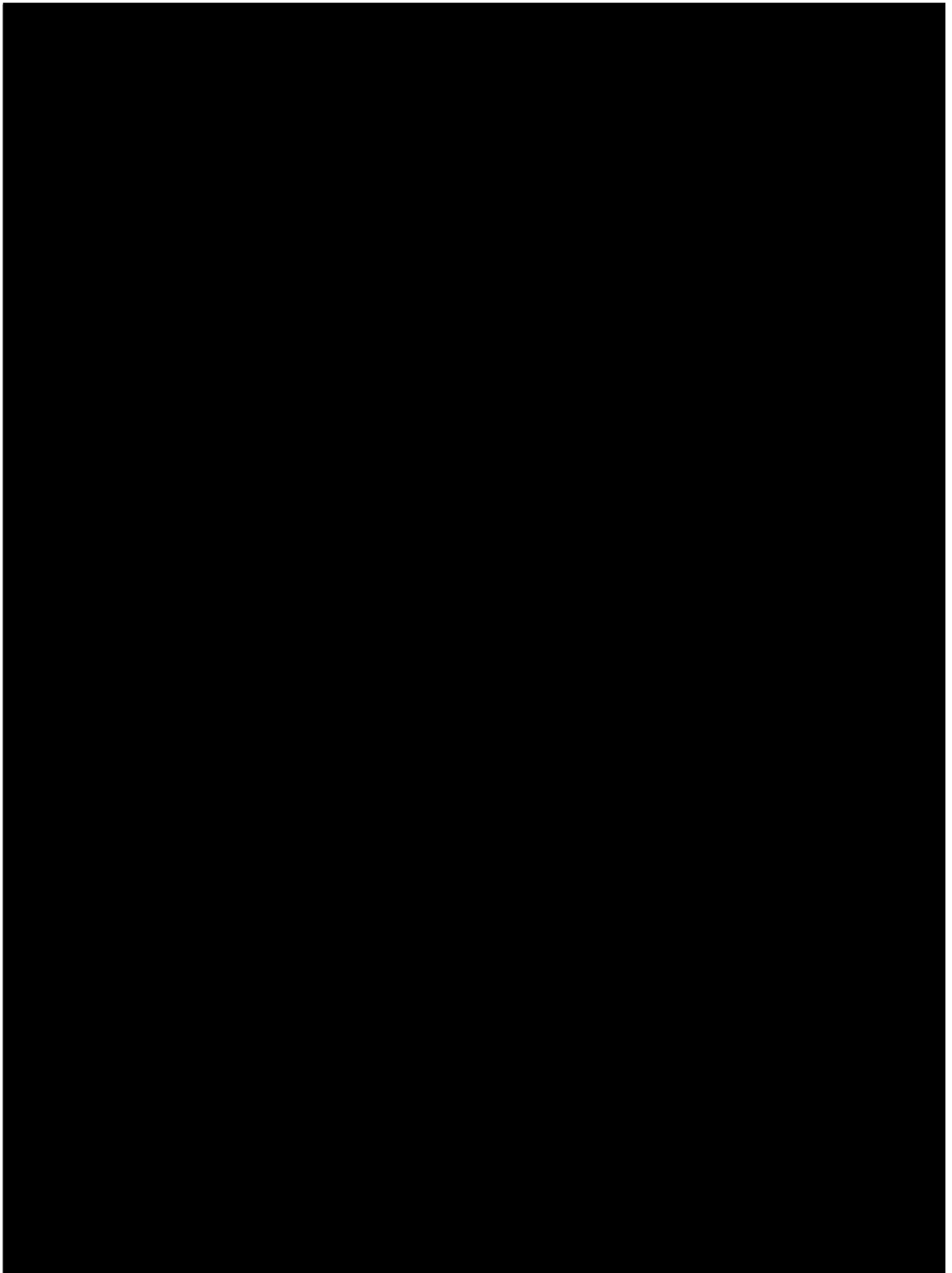
Exhibit 2 Materials Reviewed & Considered

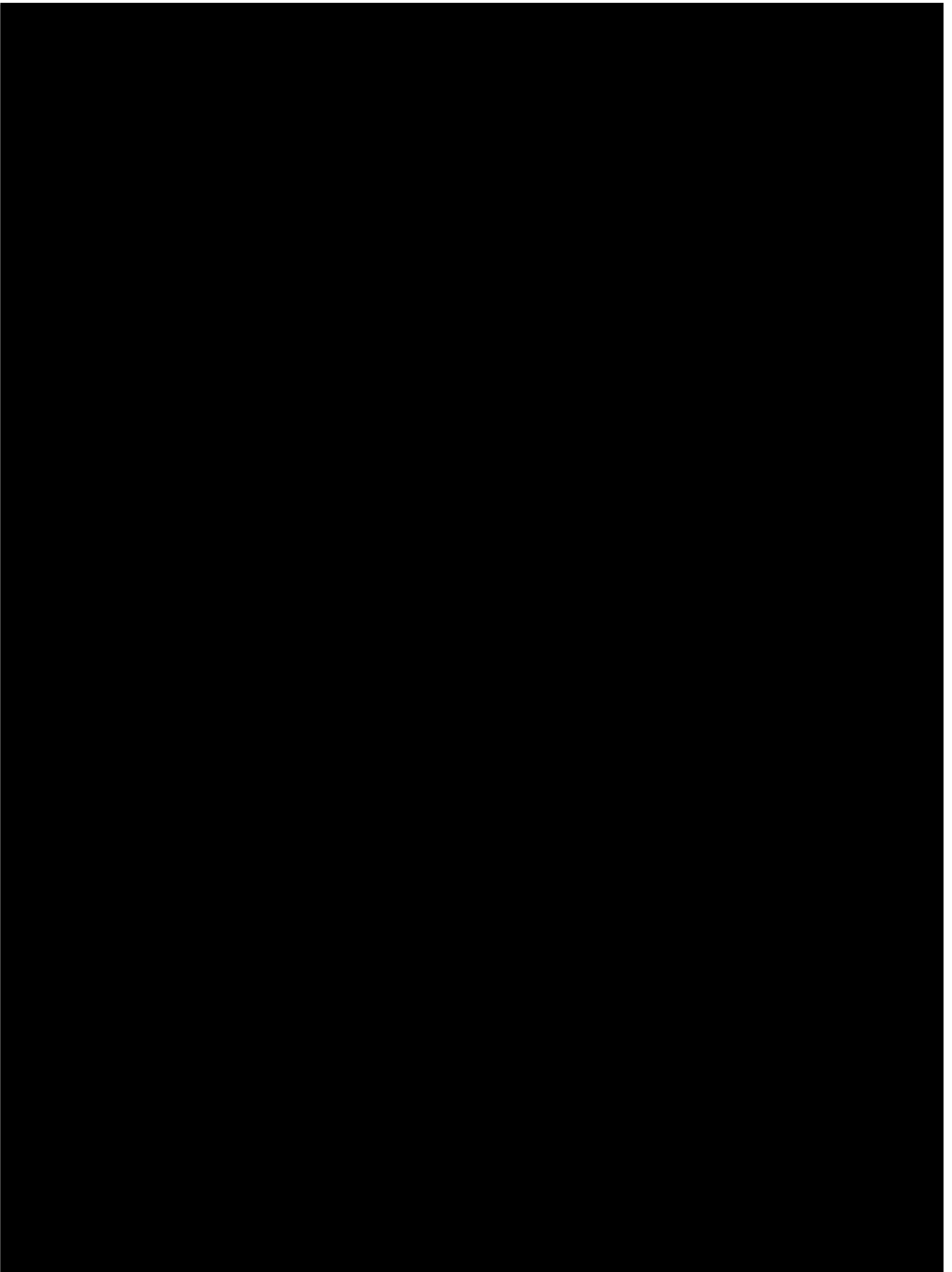


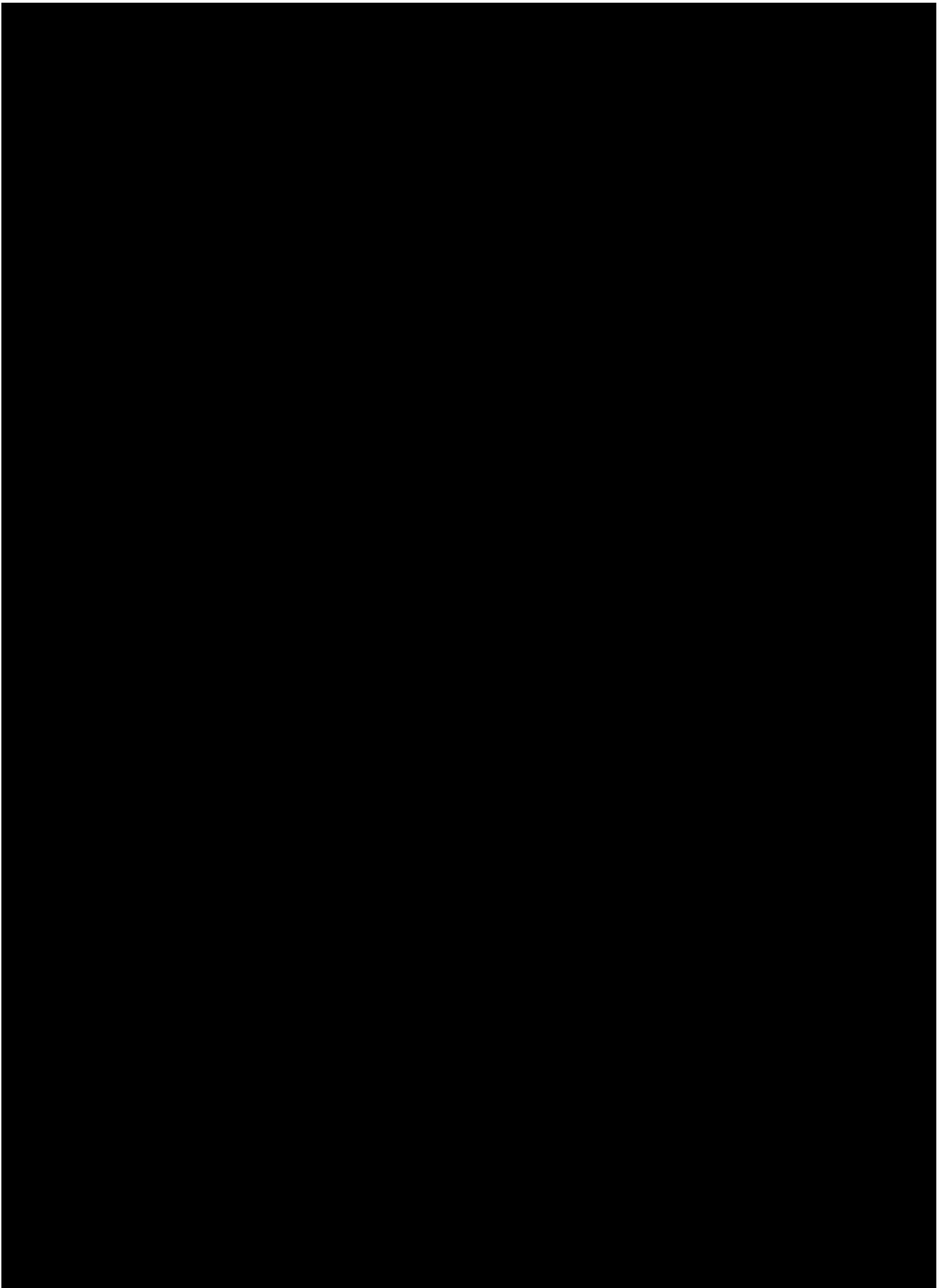
I, Philip B. Nelson, declare as follows:

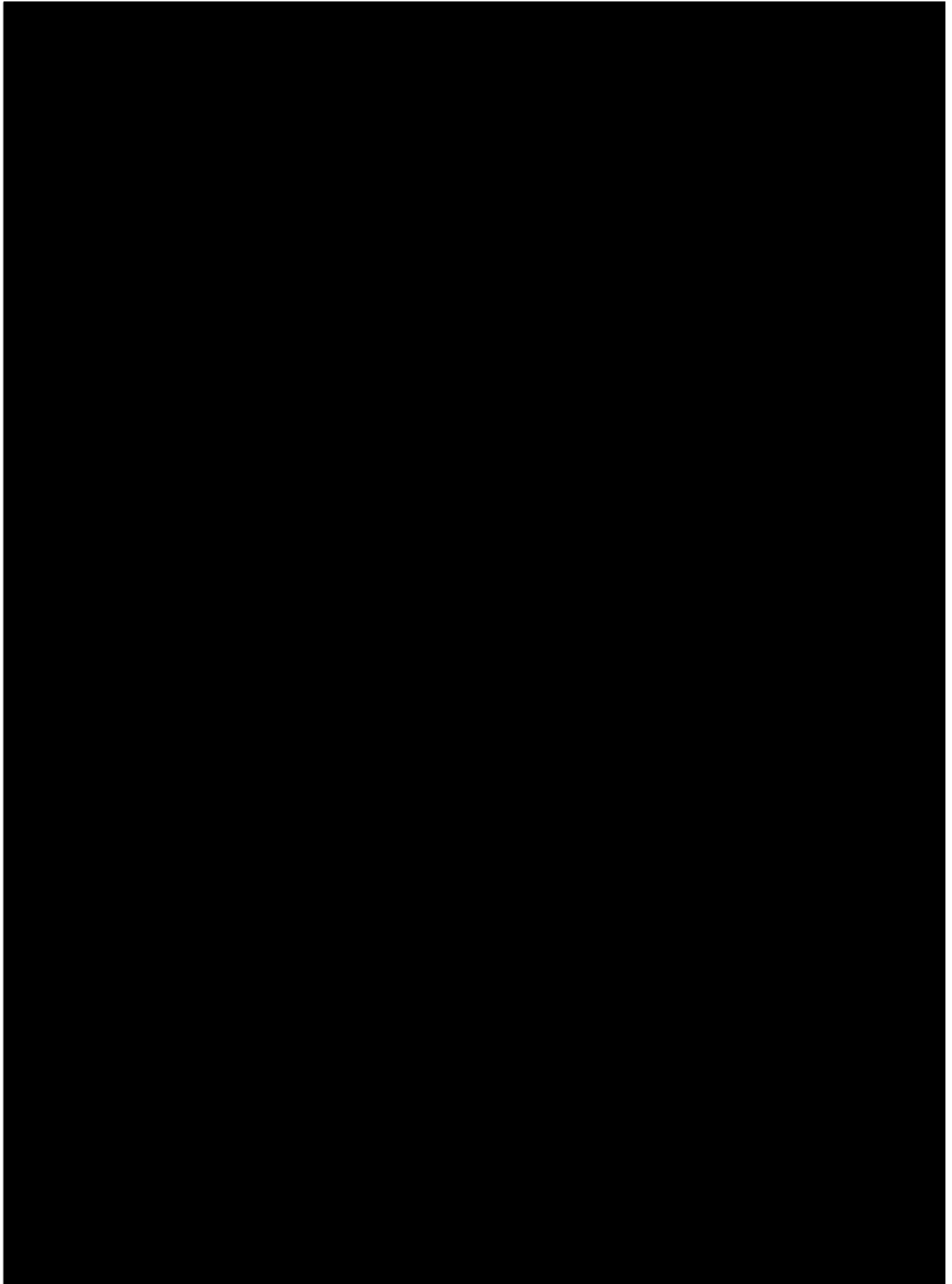
1. My name is Philip B. Nelson. I am a Principal in the Washington, DC office of the consulting firm Economists Incorporated.
 2. I graduated with an A.B. degree from Dartmouth College in 1973. I received a Ph.D. in economics from Yale University in 1980. My areas of academic specialization included microeconomics and industrial organization, with applications to antitrust and regulation. I was Assistant Director for Competition Analysis at the Federal Trade Commission. I have taught economics at Yale University and antitrust law at Fordham Law School. I am currently a co-chair of the American Bar Association Antitrust Section's Health Care and Pharmaceuticals Committee. I have worked as an expert on matters involving pharmaceuticals and have testified in district court as an economic expert. My hourly rate is \$720. A copy of my vitae is attached as **Exhibit 1**.
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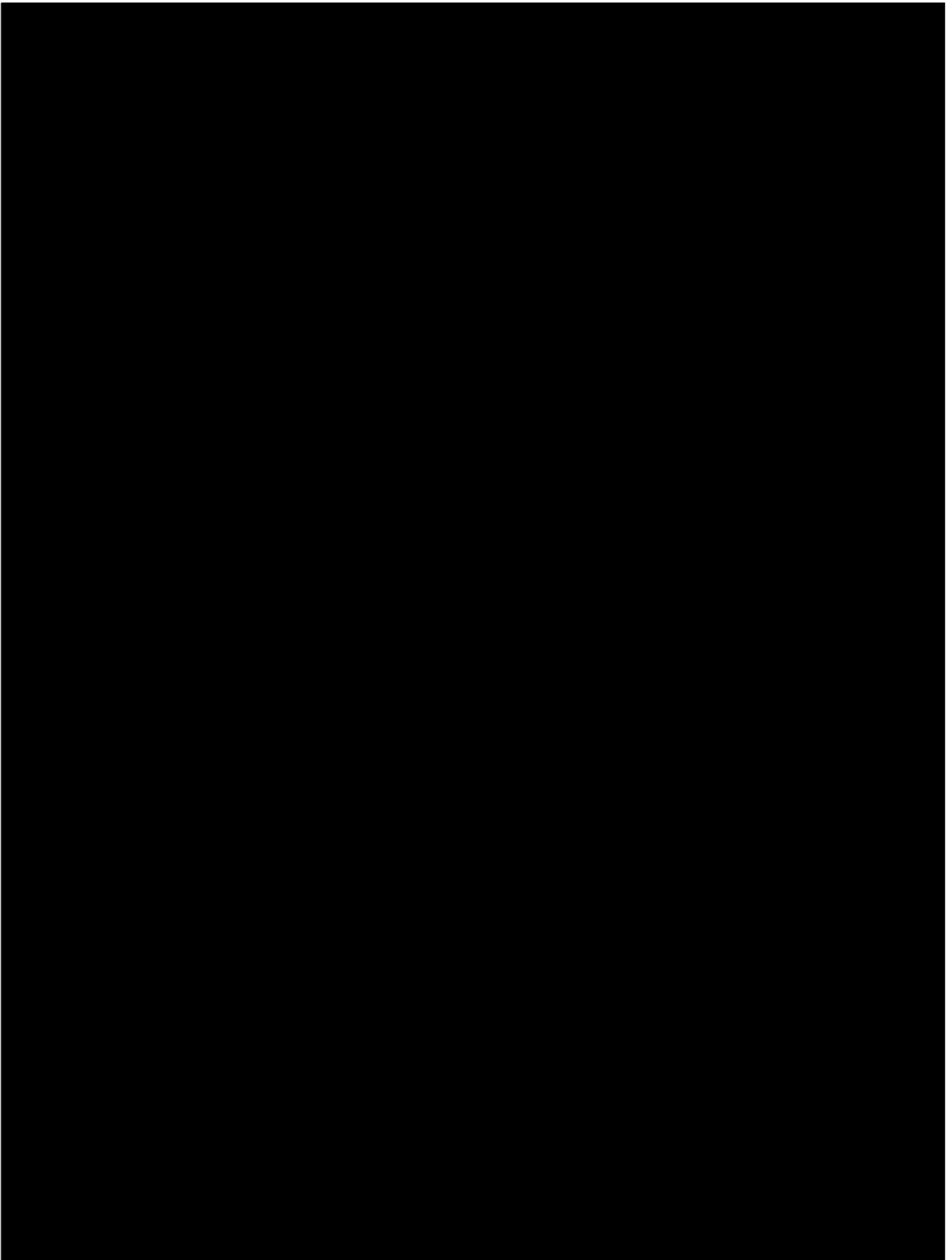


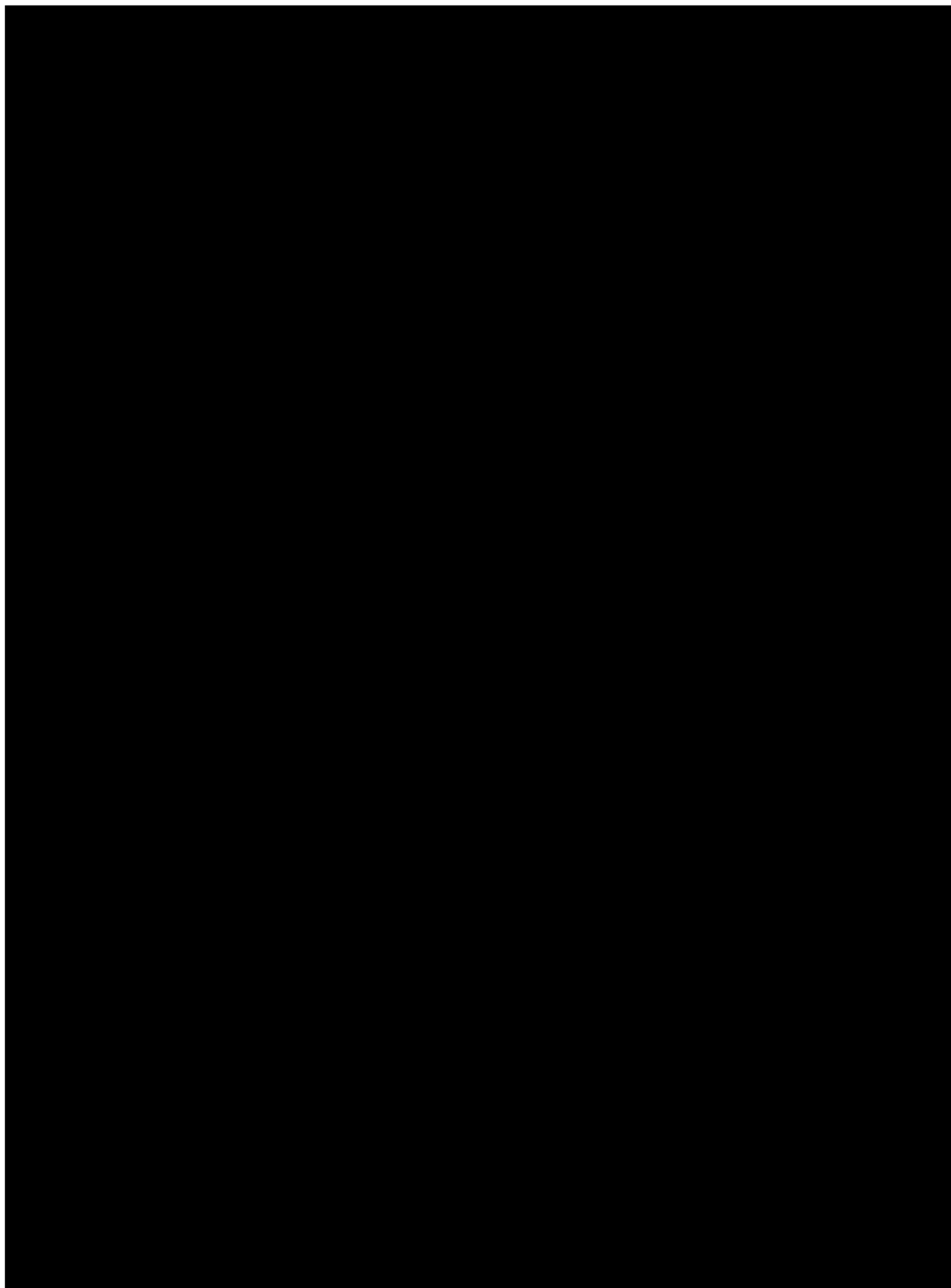




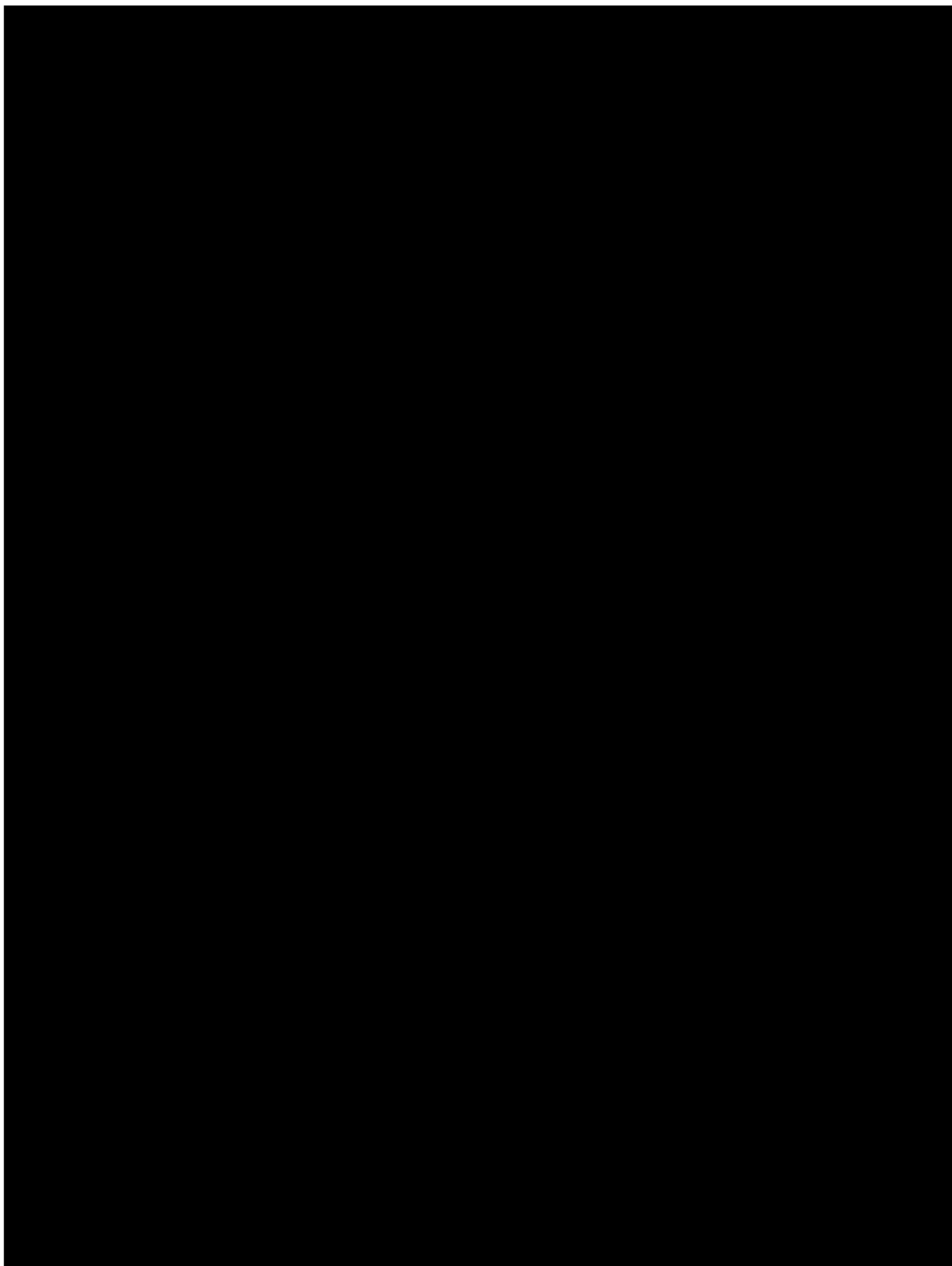


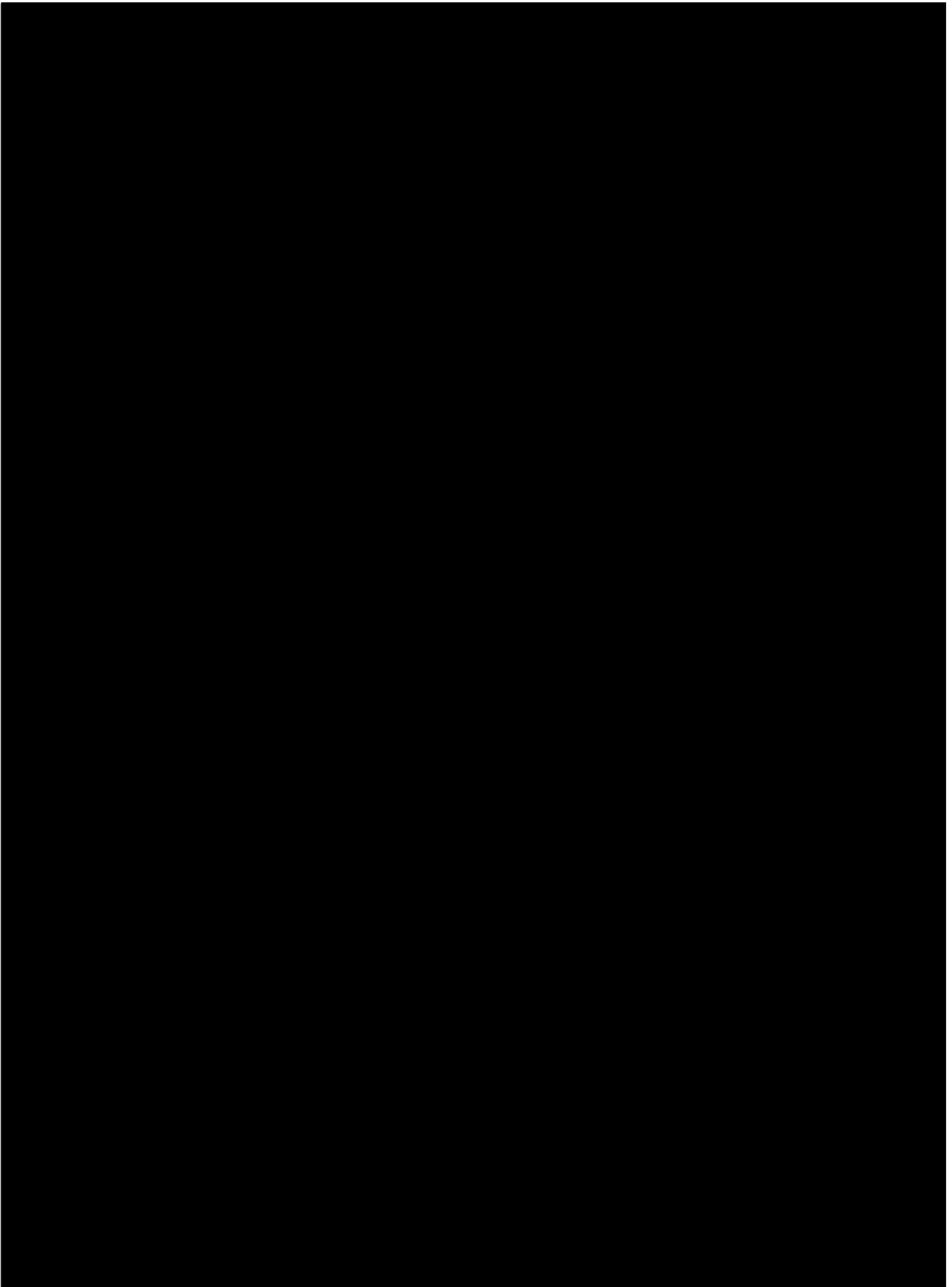


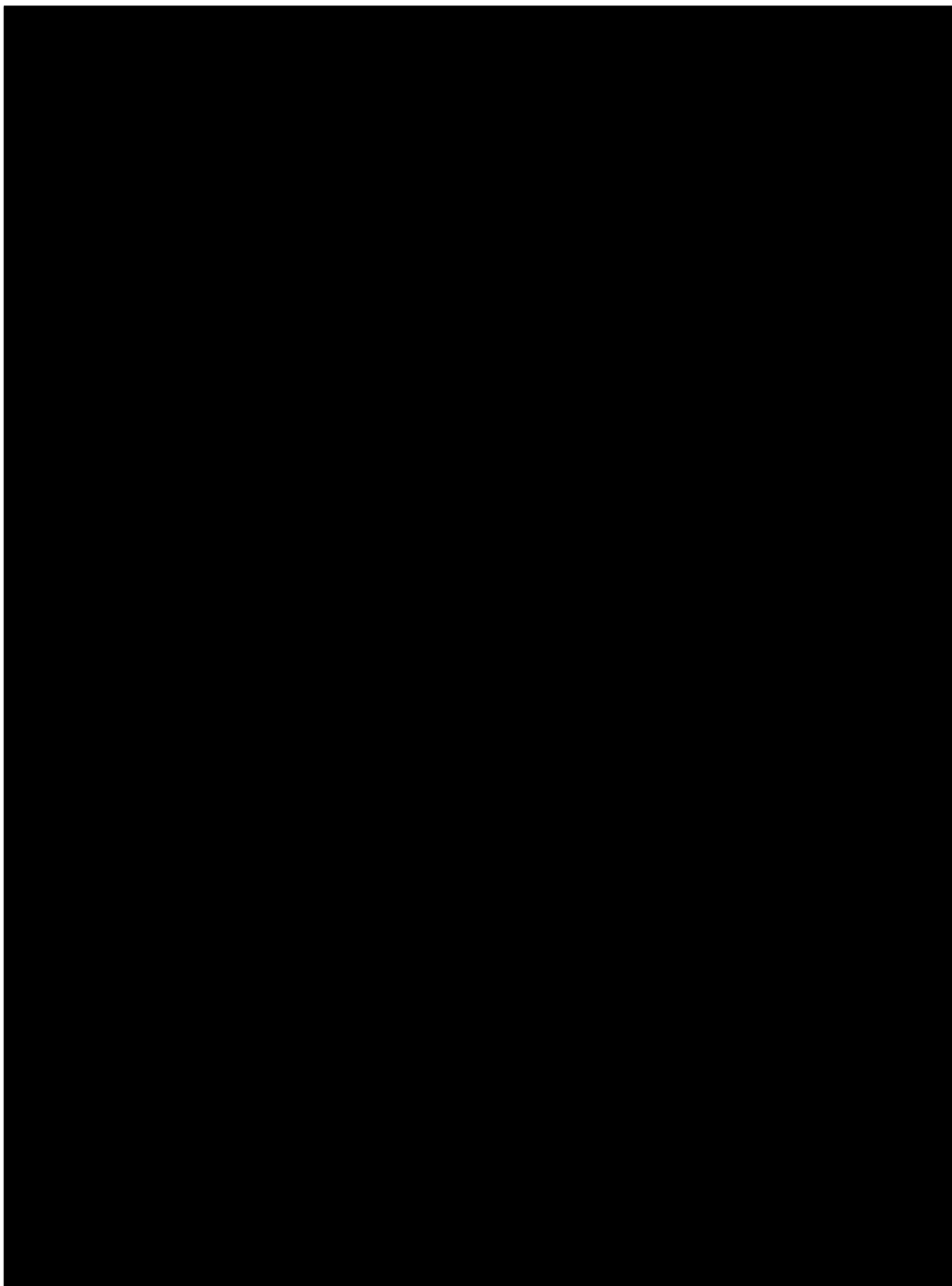


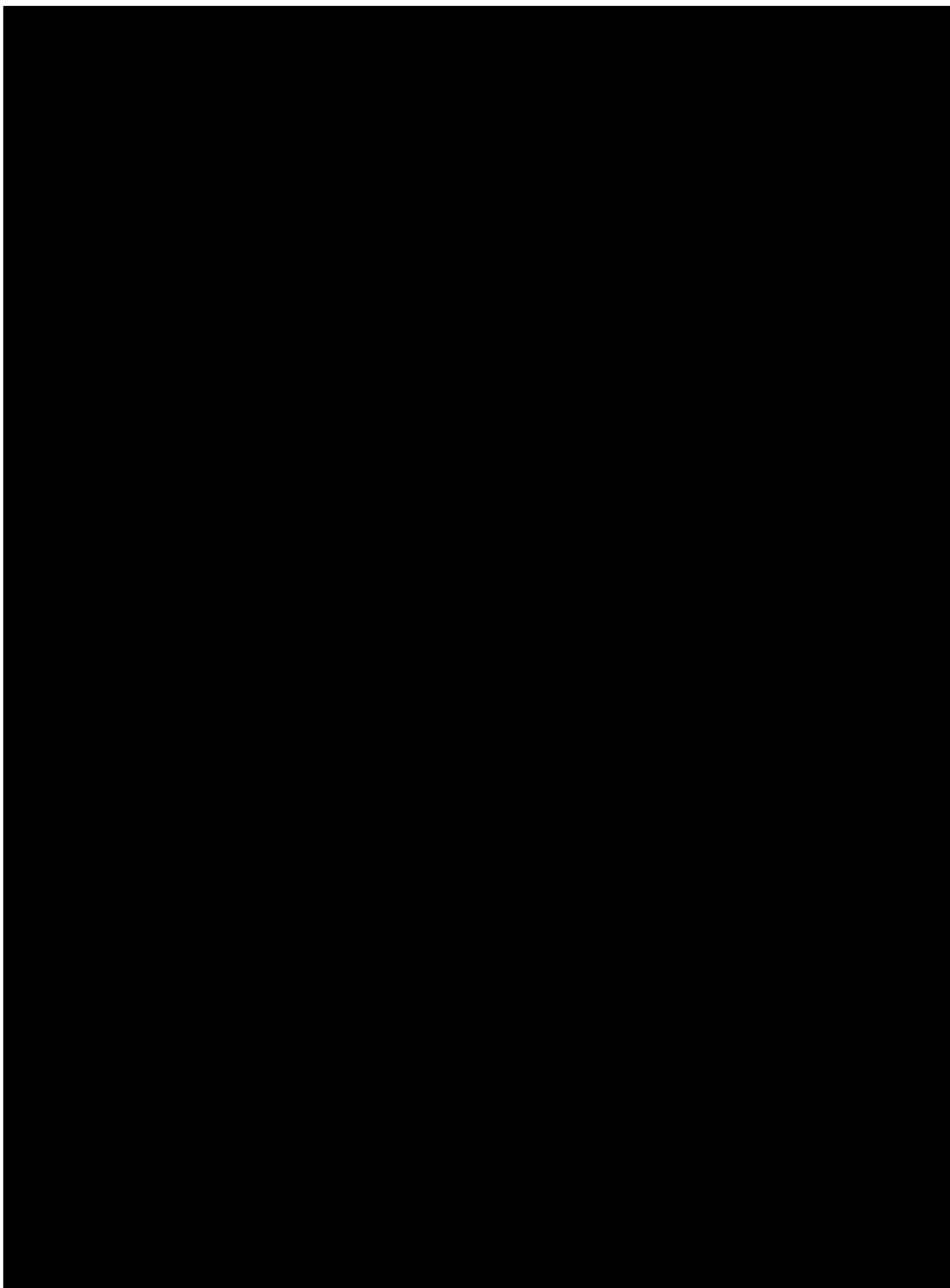


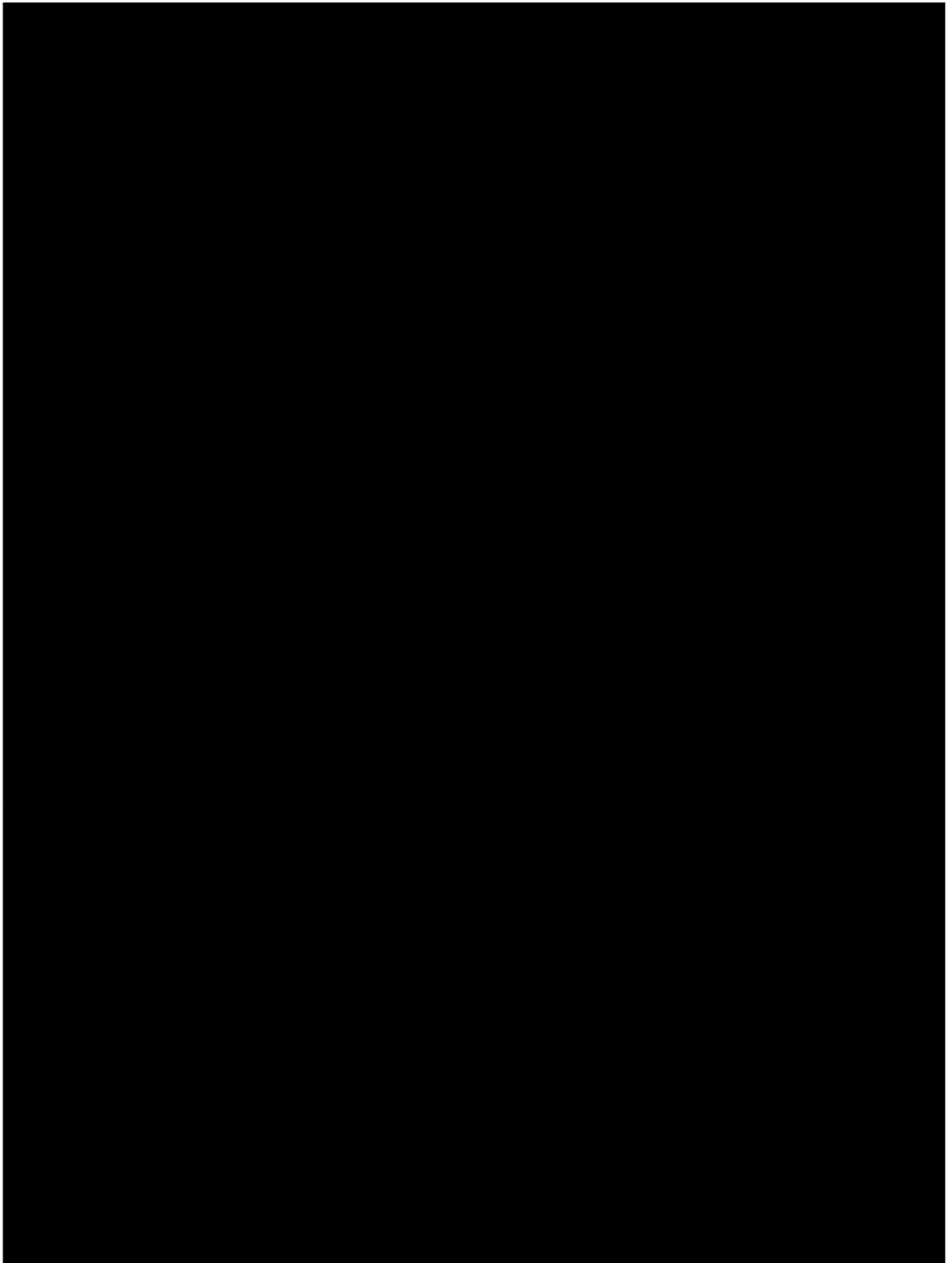


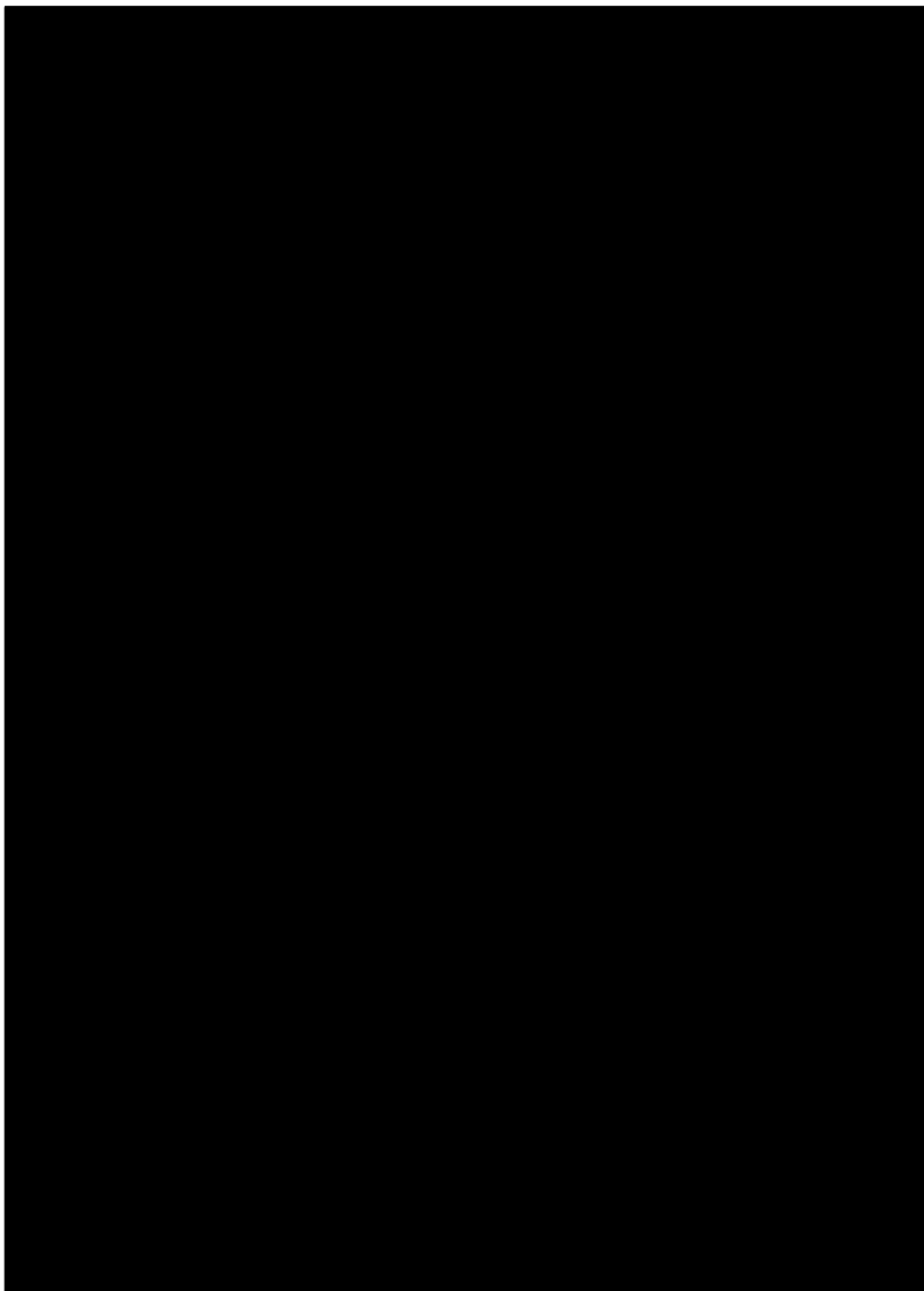


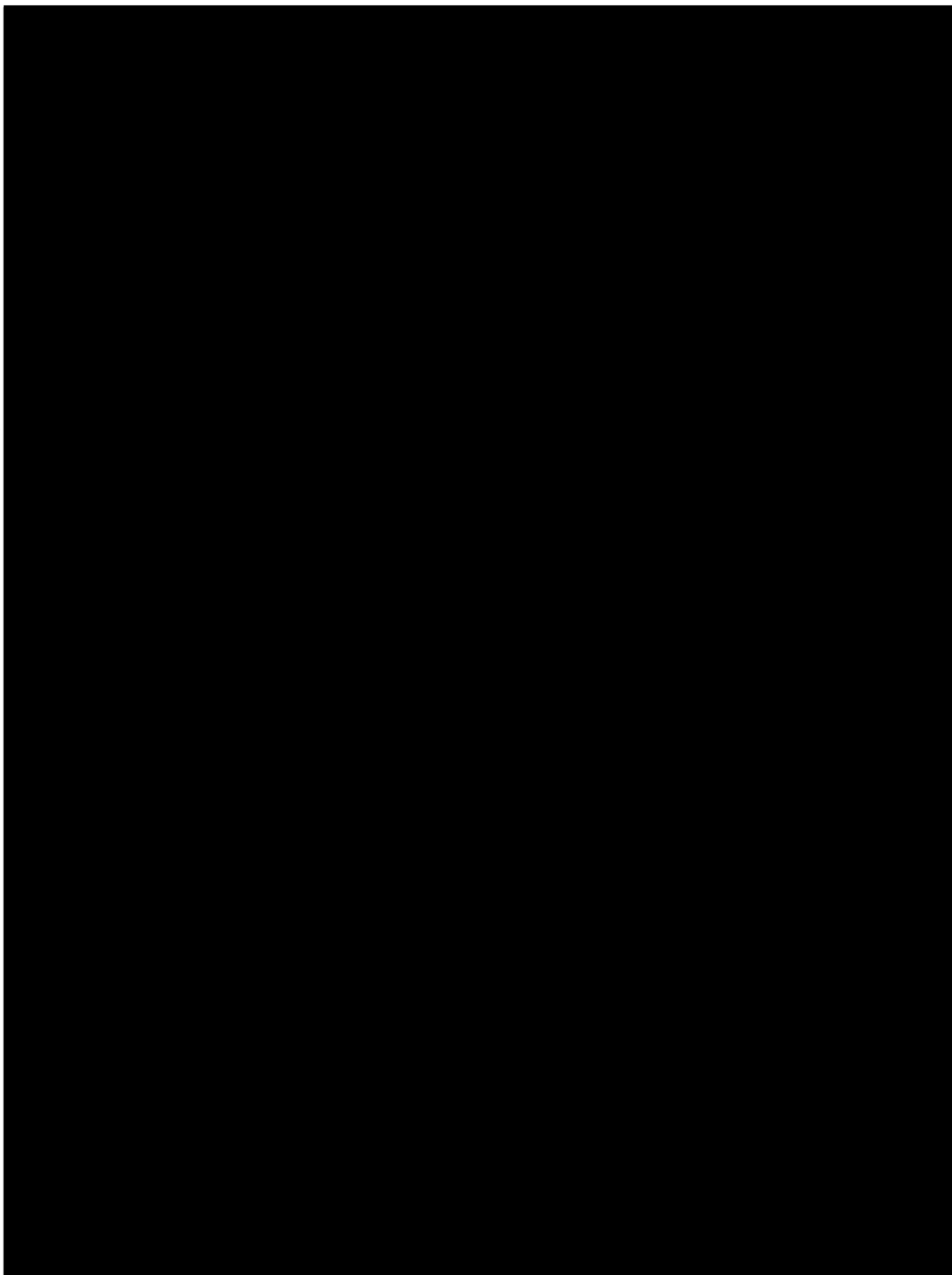


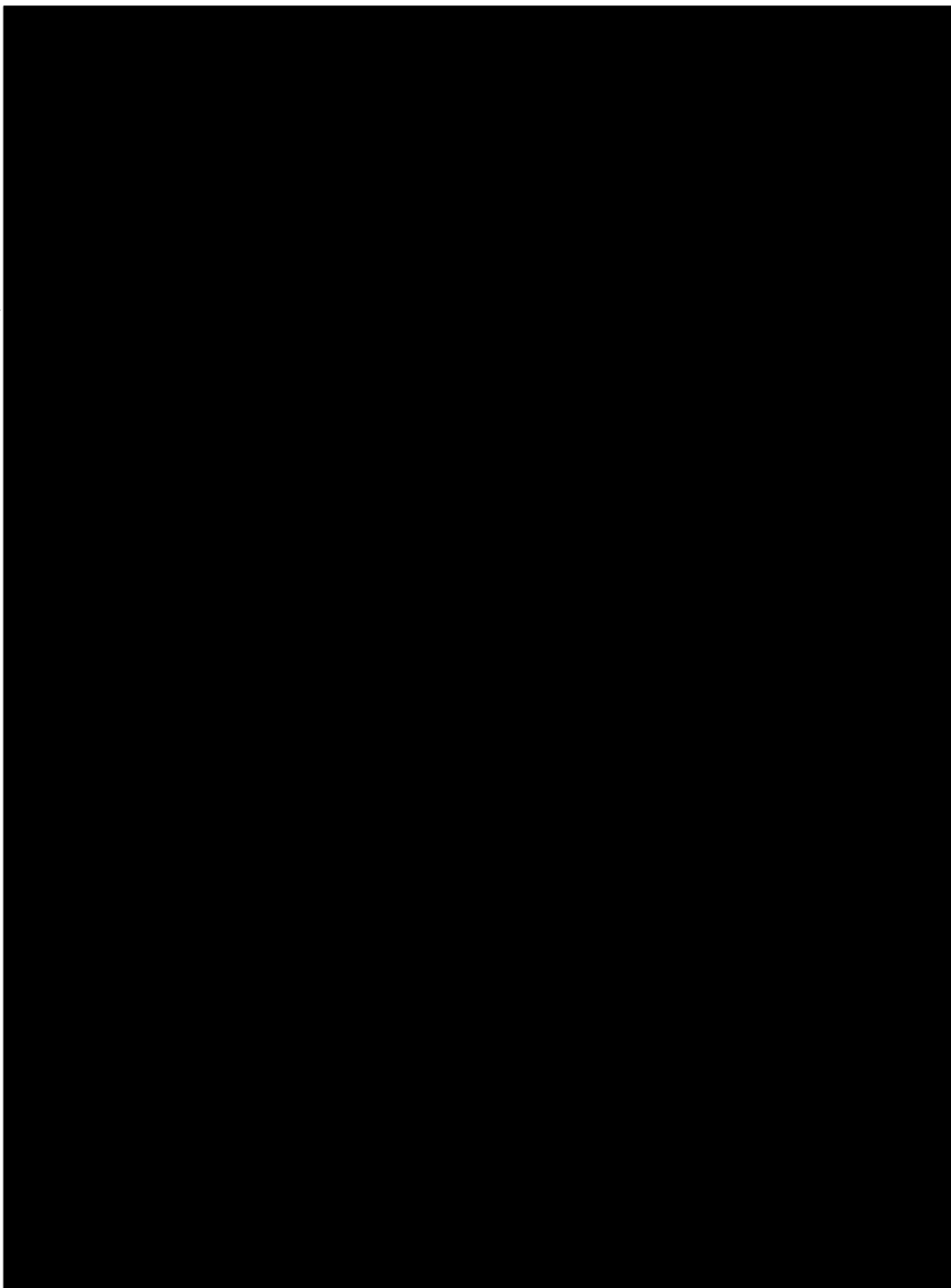


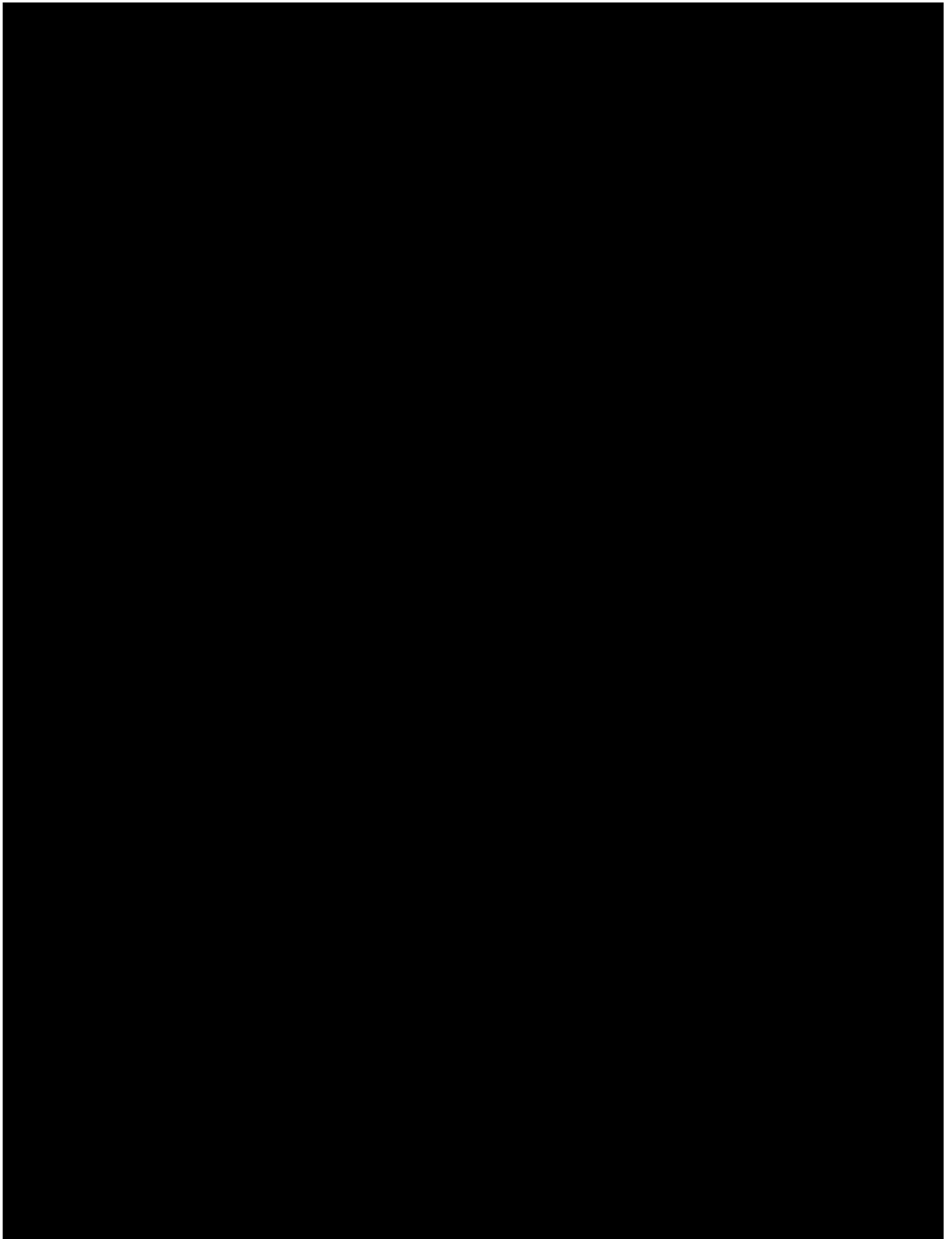


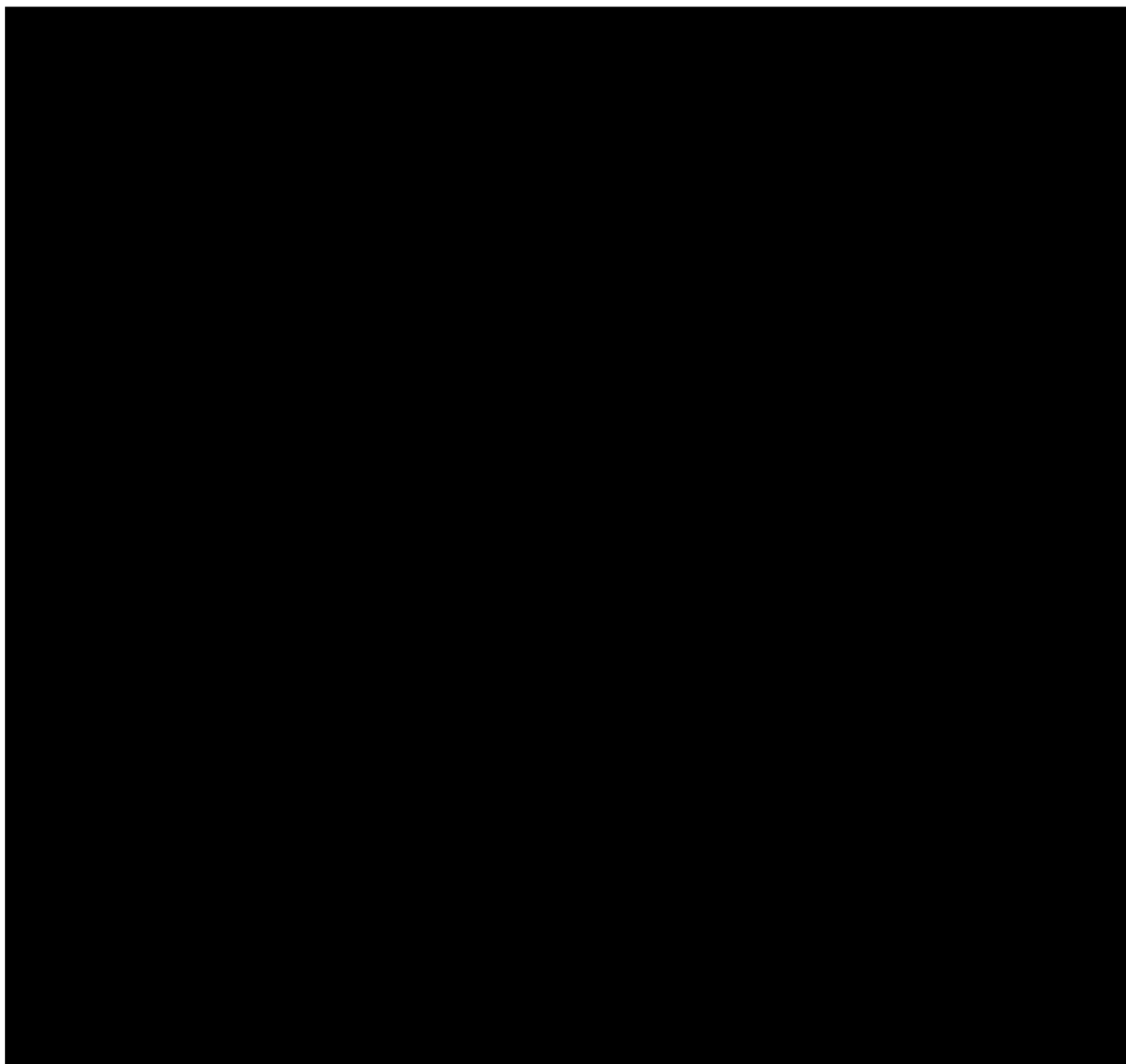












I declare under penalty of perjury that the forgoing is true and correct.

Executed on September 6, 2013 in Washington, DC.

A handwritten signature in black ink, reading "Philip B. Nelson". The signature is written in a cursive, flowing style. The first name "Philip" is written with a large, prominent "P" that loops over the "h". The last name "Nelson" is written in a similar cursive style. The signature is positioned above the printed name.

Philip B. Nelson

EXHIBIT 1
PHILIP BRADFORD NELSON

Office Address

Economists Incorporated
2121 K Street, NW, Suite 1100
Washington, DC 20037
(202) 223-4700
Fax: 202-296-7138
nelson.p@ei.com

Education

Ph.D., Economics
Yale University, 1980

A.B., Mathematics & Social Sciences
Dartmouth College, 1973

M.A., M. Phil., Economics
Yale University, 1975, 1977

Professional Experience

1987 – Present, Economists Incorporated

- Principal
- Senior Vice President
- Senior Economist

1999 – 2000, Adjunct Professor, Fordham Law School

1978 – 1987, Economist, Federal Trade Commission

- Economic Advisor to Commissioner Calvani
- Assistant Director for Competition Analysis
- Deputy Assistant Director for Economic Evidence

1975 – 1977, Acting Instructor, Yale University

1974 – 1976, Consultant, Urban Institute

Professional Awards

FTC Certificate for “Meritorious Service”

FTC Certificate for “Superior Service”

Academic Awards

Yale University Fellowship

Sloan Foundation Grant (through Yale Economics Department)

Phi Beta Kappa (Dartmouth)

Awarded A.B. with Highest Distinction in Major Field

Publications

BOOKS:

Corporations in Crisis: Behavioral Observations for Bankruptcy Policy, Praeger Press, 1981.

U.S. International Competitiveness, Praeger Press, 1988 (with John Hilke).

Market Power Handbook: Competition Law and Economic Foundations, ABA Antitrust Section, 2005 (editor, with others).

ARTICLES/REPORTS:

“Contracts Between a Firm and Its Constituents During Bankruptcy Crises,” *Journal of Economic Issues*, 1979.

“Antitrust Policy and the Market Concentration Doctrine: A Reply,” *Business Economics*, 1981 (with John Hilke).

“Noisy Advertising and the Predation Rule in Antitrust Analysis,” *American Economic Review*, 1984 (with John Hilke).

“Antitrust Policy and Intra-Industry Direct Foreign Investment: Cause and Effect,” in Asim Erdilek (ed.), *Multinationals as Mutual Invaders: Intra-Industry Direct Foreign Investment*, Croom Helm, 1985 (with Louis Silvia).

“Caveat Innovator: Strategic and Structural Characteristics of New Product Introductions,” *Journal of Economic Behavior and Organization*, 1987 (with John Hilke).

“Diversification and Predation,” *Journal of Industrial Economics*, 1988 (with John Hilke).

Publications (continued)

“Geographic Market Definition in an International Context,” *Kent–Chicago Law Review*, 1988 (with George Hay and John Hilke).

“Nonprice Predation and Attempted Monopolization: The Coffee (General Foods) Case,” in John Kwoka and Larry White (eds.), *The Antitrust Revolution*, Scott, Foresman and Company, 1989 (with John Hilke).

“An Empirical Note from Case Documents on the Economies of Network Television Advertising,” *Review of Industrial Organization*, 1989 (with John Hilke).

“The Antitrust Authorities’ Treatment of Imports in Merger Analysis,” *International Merger Law*, 1991.

“Reading Their Lips: Changes In Antitrust Policy Under The Bush Administration,” *Antitrust Bulletin*, 1991.

“Retail Featuring as a Strategic Entry or Mobility Barrier,” *International Journal of Industrial Organization*, 1991 (with John Hilke).

“A Simultaneous Equations Model of Coffee Brand Pricing and Advertising,” *Review of Economics and Statistics*, 1992 (with John Siegfried and John Howell.)

“The Economics of Entry Lags: A Theoretical and Empirical Overview,” *Antitrust Law Journal*, 1993 (with John Hilke).

“An Antitrust Analysis of the Alliant Decision and Defense Industry Mergers,” *International Merger Law*, 1993 (with John Preston).

“Clinton Administration Brings Changes to Economics and Economists at the Antitrust Division,” *Antitrust*, 1994.

“Damages from Exclusionary Practices,” in Section of Antitrust Law, American Bar Association’s, *Proving Antitrust Damages*, 1996 (with Ann Jones and Roger Blair).

“Comments on Greene, Marvel, and Owen papers at WEA Meetings,” *The Antitrust Bulletin*, 1996.

“Defense Industry Rationalization: Lockheed Martin (1995),” in John Kwoka and Larry White (eds.), *The Antitrust Revolution*, 1999 (with Robert Stoner).

Publications (continued)

“Consumer Savings from Merger Enforcement: A Review of the Antitrust Agencies’ Estimates,” *Antitrust*, 2001.

“Consumer Savings from Merger Enforcement: A Review of the Antitrust Agencies’ Estimates,” *Antitrust Law Journal*, 2002 (with Su Sun).

The Economics of Innovation: A Survey, ABA Taskforce Report, 2002 (chair, with others).

“Economists’ Analysis: The European Union’s New Horizontal Merger Guidelines,” *Antitrust*, 2003 (with Simon Baker, Simon Bishop, and Derek Ridyard).

“Economists’ Roundtable,” *Antitrust*, 2003 (with Dennis Carlton, Janusz Ordover, and Jonathan Baker).

“The Implications of Robert Steiner’s Work for Merger Analysis,” *The Antitrust Bulletin*, 2004 (with Gloria Hurdle and Tessie Su).

“The Use of Econometrics In Class Certification,” American Bar Association’s *Econometrics: Legal, Practical, and Technical Issues*, 2005 (with Henry McFarland and David Smith).

“Geographic Market Definition In Markets with Imports: Evolution of Antitrust Agency Analysis,” *The Threshold*, 2007.

“Patent Pools: An Economic Assessment of Current Law and Policy,” *Rutgers Law Journal*, 2007.

“The Antitrust Economics of Intellectual Property,” American Bar Association’s *Intellectual Property Antitrust Handbook*, 2007 (with Robert Stoner).

“Failing Firms and Declining Industries,” American Bar Association’s *Issues in Competition Law and Policy*, 2008 (with Henry McFarland).

“The Economic Rationale for Antimonopoly Law and Policy,” American Bar Association’s, *Monopolization and Dominance Handbook*, 2011 (with Robert Stoner).

Professional Activities

Co-chair, Health Care and Pharmaceuticals Committee, Antitrust Section,
American Bar Association (2013-Current)

Vice Chair, Health Care and Pharmaceuticals Committee, Antitrust Section,
American Bar Association (2006-2013)

Vice Chair, Intellectual Property Committee, Antitrust Section, American Bar
Association (2002-2005)

Chair, Economics Committee, Antitrust Section, American Bar Association
(1999-2002)

Vice Chair, Economics Committee, Antitrust Section, American Bar Association
(1996-1999)

Member, American Economics Association

Other Professional Activities

Referee for *Journal of Conflict Resolution*

Referee for *Journal of Industrial Economics*

Referee for *Economic Inquiry*

Referee for *American Economic Review*

Referee for *Economic Development Quarterly*

Referee for *Review of Economics and Statistics*

Invited Testimony

Testimony on “Market Definition, Market Power, and Entry in Light of Global Competition,” at FTC Hearings on Competition and Consumer Protection Policy in the New High-Tech, Global Marketplace, October 19, 1995.

Testimony on “Competition and Innovation: Relationships Between Market Structure and Innovation,” at FTC/DOJ Hearings on Competition and Intellectual Property Law and Policy in the Knowledge-Based Economy, February 20, 2002.

Testimony on “Monopoly Power, Market Definition, and the Cellophane Fallacy,” at FTC/DOJ Hearings on Section 2 of the Sherman Act: Single-Firm Conduct As Related to Competition, March 7, 2007.

Testimony

AT FTC:

Testified in *FTC v. General Foods* case. Served on FTC Merger Screening Committee. Supervised the economic effort for more than 100 FTC antitrust investigations and litigation efforts in the following industries: petroleum, non-petroleum natural resources, automobile, records, chemicals, consumer products, professions and high technology. Also supervised economic work on FTC compliance matters, review of HSR guidelines, standard setting organizations and international antitrust matters.

AT ECONOMISTS INCORPORATED:

Antitrust matters have involved merger, joint venture, dealer termination, price discrimination, intellectual property, predation, class certification, damages, attempted monopolization, collusion and monopolization issues. Analyzed competition for European acquisitions using EU Merger standards. Analyzed competition issues and damages related to patent rights.

Worked on a variety of non-antitrust matters involving damages, transfer pricing, dumping, FIFRA, lender liability, Lanham Act and breach of contract. Evaluated transfer prices used by foreign corporations with U.S. subsidiary. Analyzed crude oil and natural gas issues for FERC hearings.

Testified in:

- *Lunkenheimer v. Tomkins*
- *GB Biosciences Corporation v. Nations AG II, LLC*
- *Car Preservation Centers of Ohio et al. v. Ziebart International Corporation et al.*
- *BASF Corporation v. Makhteshim–Agan of North America*
- *Braintree Laboratories, Inc. v. Schwarz Pharma, Inc.*
- *Syngenta Crop Protection, Inc. v. Drexel Chemical Company*
- *In re: Outsidewall Tire Litigation.*

Testimony (continued)

Provided only deposition testimony in:

- *Hoover Color Corporation v. Bayer Corporation*
- *Allied Signal Inc. et al. v. B.F. Goodrich Co. et al.*
- *MacDunnah's Inc. d/b/a The Fiddlehead Restaurant and the State of Alaska v. Amerigas Propane, Inc.*
- *ChoiceParts, LLC v. General Motors Corporation, Daimler Chrysler Corporation, Ford Motor Company, and OEConnection, LLC*
- *Matsushita Electric Industrial Co., Ltd. v. Cinram International, Inc*
- *Sussex Commons Outlets, LLC v. Chelsea Property Group, Inc., CPG Partners, L.P. and John Does 1-10*
- *The Research Foundation of State University of New York; Galderma Laboratories; and Galderma Laboratories L.P., v. Mylan Pharmaceuticals Inc.*
- *Novartis Pharmaceuticals Corporation v. Mylan Pharmaceuticals Inc. and Mylan Inc*
- *Thermal Design, Inc. v. American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.*
- *Abbott Laboratories and Fournier Laboratories Ireland, Ltd. v. Impax Laboratories, Inc.; Lupin Ltd. and Lupin Pharmaceuticals, Inc.; Mylan Pharmaceuticals, Inc. and Mylan, Inc.; Watson Laboratories, Inc.- Florida, Watson Pharma, Inc., and Watson Pharmaceuticals, Inc.; Actavis Elizabeth, LLC. and Actavis, Inc.; Anchen Pharmaceuticals, Inc.*
- *Noven Pharmaceuticals, Inc. v. Watson Laboratories, Inc. and Watson Pharmaceuticals, Inc.*
- *Warner Chilcott Laboratories Ireland Limited; Warner Chilcott Company, Inc.; Warner Chilcott (US), LLC; Mayne Pharma International PTY, Ltd v. Mylan Pharmaceuticals Inc. and Mylan Inc.*

Testimony (continued)

Submitted affidavits/declarations in a number of matters where didn't testify including:

- *Mylan Pharmaceuticals, Inc., Rochester Drug Co-Operative, Inc., Meijer, Inc., Meijer Distribution, Inc., American Sales Company, LLC, and International Brotherhood of Electrical Workers Local 38, Health and Welfare Fund v. Warner Chilcott Public Limited Company, et al.*
- *AstraZeneca LP and AstraZeneca AB v. Breath Limited et al.*
- *Valeant International (Barbados) SRL v. Paddock Laboratories LLC*
- *Jetaway Aviation, LLC v. The Board of County Commissioners of the County of Montrose, Colorado; Montrose County Building Authority; Jet Center Partners, LLC; Black Canyon Jet Center LLC; William Patterson; Kevin Egan; and James Rumble*
- *Galderma Laboratories; and Galderma Laboratories L.P., v. Mylan Pharmaceuticals Inc*
- *In re: Puerto Rico Cabotage*
- *The Commissioner of Competition v. Labatt Brewing Company Ltd., Lakeport Brewing Ltd., et al.*
- *Antimonopoly v. Hasbro, Toys "R" Us, Inc. and Kmart Corporation*
- *Little Caesar Enterprises, Inc. v. Gary G. Smith, et al.*
- Royalty payment investigation of North Antelope by the Department of Interior.

Selected Case Experience

Among the matters I have worked on are:

- *W.H. Hunt, et al. v. Bankers Trust Company, et al.* (oil refining, drilling rigs, bank lending)
- *Cards & Gifts, et al. v. Hallmark Cards, Inc.* (greeting cards)

Selected Case Experience (continued)

- *Hartford House, Ltd. et al. v. Hallmark Cards, Inc.* (greeting cards)
- Hanna-Day International Merger (rubber and plastics)
- McNeilus-Challenge Cook Merger (concrete mixers)
- GE-Union Carbide Silicones Joint Venture (chemicals)
- Saudi Aramco-Texaco Joint Venture (refining and marketing of petroleum products)
- *McNeilus* (ready-mix)
- Clark Equipment-Dexel Industries Merger (forklift trucks)
- MCI-Telecom* USA Merger (telephone transmission)
- Nippon Sheet Glass -Libbey-Owens-Ford Merger (float glass)
- Cement ITC Dumping Case
- Camera ITC Dumping Case
- Imperial Cup-Continental Bondware Merger (paper cups)
- *The People of California v. Chevron et al.* (oil, pipelines)
- *Chemionics v. Guthrie* (latex)
- Phibro DOE Filing (oil)
- Hasbro-Tonka Merger (toys)
- Schneider-Square D Merger (electrical controls and distribution equipment)
- Giddings & Lewis-Cross & Trecker Merger (machine tools)
- Textron-Cessna Merger (corporate jets)

Selected Case Experience (continued)

- Page-Butler (fixed base operations for servicing planes)
- Hughes-General Dynamics Merger (missiles)
- McNeilus-Challenge Cook Merger (concrete mixers)
- Lockheed-General Dynamics Merger (jet fighters)
- Durr-Fillauer-Bergen Brunswick Merger (drug wholesaling)
- Cox Cable-Jones Intercable Merger (San Diego area cable television)
- Blade Communications Pittsburgh Post-Gazette-Pittsburgh Press Merger (newspapers)
- *Lunkenheimer v. Tomkins* (valves)
- Corning-Damon Merger (medical testing labs)
- Menasha (Poly-Hi)-Solidur Merger (plastic products)
- SCI-Pierce Brothers Merger (funeral homes)
- North Antelope Mine filing with Department of Interior (coal)
- *Sunshine v. Vanguard* (cellular telephones)
- Hamilton Testing Service - SDI Merger (emissions testing)
- Entergy-Gulf States Utilities Merger (electrical utilities)
- *Carmen Santiago v. The Sherwin-Williams Company et al.* (paint)
- Corning Labs' acquisition of Nichols (laboratory testing)
- SONAT Gas Inventory Charge filing at FERC (natural gas)
- *Cimarron Pipeline Construction Inc. et al. v. National Council on Compensation Insurance, Aberdeen Insurance Company et al.* (insurance)

Selected Case Experience (continued)

- *AntiMonopoly, Inc. v. Hasbro, Inc., Toys “R” Us, Inc., and K Mart Corporation* (toys)
- Mattel-Fischer Price Merger (toys)
- Dresser-Baroid Merger (oil field services and products)
- NORAM’s acquisition of Trans Ark assets (natural gas)
- Martin Marietta’s purchase of General Dynamic’s launch vehicle business (defense)
- Sky Chefs - Caterair Merger (airline catering)
- Lockheed - Martin Marietta Merger (defense)
- Beacon-Pillowtex Merger (blankets)
- British Telecom’s acquisition of an interest in MCI (telecommunications)
- *CDG v. Genesys* (software)
- Litton’s acquisition of IMO (defense)
- *Little Caesar Enterprises, Inc. v. Gary G. Smith, et al.* (fast food franchising)
- Ciba-Geigy’s merger with Sandoz to form Novartis (pharmaceuticals, animal health, herbicides, gene therapy)
- Raytheon’s acquisition of Hughes and Texas Instruments (defense)
- Mattel’s acquisition of Tyco (toys)
- Oshkosh’s acquisition of McNeilus (concrete mixers)
- American Pacific’s acquisition of Kerr McGee ammonium perchlorate assets (rocket fuel)
- PPG’s acquisition of BASF coating assets (coatings)

Selected Case Experience (continued)

- Tosco's acquisition of Unocal assets (refining, gasoline marketing)
- USA Waste's acquisition of Sanifill (refuse collection and disposal)
- USA Waste's acquisition of United Waste (refuse collection and disposal)
- *Glaxo Wellcome Inc., and Glaxo Group Limited v. Mylan Pharmaceuticals Inc.* (pharmaceutical patent)
- *Hoffman -La Roche v. Organon Technika* (gene therapy patent)
- *Hoover Color Corporation v. Bayer Corporation* (pigments)
- *In Re: Brand Name Prescription Drugs Antitrust Litigation* (pharmaceuticals)
- Shaw Carpets acquisition of Queen (carpets)
- El Paso's acquisition of DeepTech and Sonat (natural gas)
- NOVA acquisition of TransCanada (natural gas)
- *Allied Signal Inc. et al. v. B.F. Goodrich Co. et al.* (landing gear systems)
- *MacDunnah's Inc. d/b/a Fiddlehead Restaurant and the State of Alaska v. Amerigas Propane, Inc.* (propane)
- Commerce Department dumping investigation involving Saudi Arabia, Venezuela, Mexico and Iraq (oil)
- Exxon – Mobil merger (refining, gasoline marketing, chemicals)
- El Paso - Costal merger (natural gas pipelines)
- El Paso - PG&E acquisition (natural gas pipelines)
- NASDAQ - AMEX merger (financial market)
- *Pepsi v. Coca-Cola* (soft drinks)
- Valero – UDS merger (refining, gasoline marketing, product pipelines)

Selected Case Experience (continued)

- *ChoiceParts, LLC v. General Motors Corporation, Daimler Chrysler Corporation, Ford Motor Company, and OEConnection, LLC* (auto parts B2B software)
- Alcoa/Reynolds (aluminum)
- *GB BioSciences Corporation v. Nations AG II, LLC* (arbitration hearing, pesticide data compensation under FIFRA)
- *Matsushita Electric Industrial Co., Ltd. v. Cinram International Inc.* (DVD patent pool)
- *Car Preservation Centers of Ohio et al. v. Ziebart et al.* (automotive services franchising)
- Sunoco/El Paso Eagle Point Refinery acquisition (oil refining)
- Teva/Sicor asset acquisition (pharmaceuticals)
- Pentair/Wicor (pumps, swimming pool equipment, filters, fabricated tanks)
- Apogent/Fisher Scientific (lab equipment)
- *Medtronic Sofamar Denek Inc. v. Gary Michelson, M.D., and Karlin Technology, Inc.* (and counterclaim) (licensing of spine technology patents)
- Gulf Terra/Enterprise (natural gas pipeline, fractionation, ethane, propane)
- Cemex/RMC (cement, ready-mix, aggregate)
- NYSE/Archipelago (financial markets)
- KCP (KIK)/APG (aerosols)
- *Braintree Laboratories, Inc. v. Schwarz Pharma, Inc.* (MiraLAX, polyethylene glycol)
- *BASF Corporation v. Makhteshim – Agan of North America* (pendimethalin pesticide)

Selected Case Experience (continued)

- Whirlpool/Maytag (appliances)
- Anadarko/Kerr McGee (natural gas, natural gas pipelines)
- Anadarko/Western (natural gas, natural gas pipelines)
- Thermo Electron/Fisher Scientific (lab equipment)
- Stiefel/Connectics (pharmaceuticals)
- Menasha (ORBIS)/LINPAC (packaging products /containers)
- *Sussex Commons Outlets, LLC v. Chelsea Property Group, Inc., CPG Partners, L.P. and John Does 1-10* (outlet shopping malls)
- Movie Gallery/Hollywood Video (video rentals)
- Enterprise/Vanguard (car rental)
- Qiagen/Digene (sample and assays technologies)
- Quanta/InfraSource (electrical construction)
- Vallourec/Grant Prideco (steel/OCTG assets)
- *In Re: Puerto Rico Cabotage* (for Trailer Bridge shipping)
- Pentair/GE (filtration JV)
- *Syngenta Crop Protection, Inc. v. Drexel Chemical Company* (atrazine)
- *The Research Foundation of State University of New York; Galderma Laboratories; and Galderma Laboratories L.P., v. Mylan Pharmaceuticals Inc.* (Oracea, doxycycline)
- *In Re: Outsidewall Tire Litigation* (mining tires)
- *Novartis Pharmaceuticals Corporation v. Mylan Pharmaceuticals Inc. and Mylan Inc.* (Lescol, fluvastatin)

Selected Case Experience (continued)

- *Jetaway Aviation, LLC v. The Board of County Commissioners of the County of Montrose, Colorado; Montrose County Building Authority; Jet Center Partners, LLC; Black Canyon Jet Center LLC; William Patterson; Kevin Egan; and James Rumble* (Fixed based operator)
- *Warner Chilcott Laboratories Ireland Limited; Warner Chilcott Company, Inc.; Warner Chilcott (US), LLC; and Mayne Pharma International PTY, Ltd v. Mylan Pharmaceuticals Inc. and Mylan Inc.* (Doryx, doxycycline hyclate)
- Regal Beloit/AO Smith Division (electric motors)
- *Abbott Laboratories and Fournier Laboratories Ireland, Ltd. v. Impax Laboratories, Inc.; Lupin Ltd. and Lupin Pharmaceuticals, Inc.; Mylan Pharmaceuticals, Inc. and Mylan, Inc.; Watson Laboratories, Inc.-Florida, Watson Pharma, Inc., and Watson Pharmaceuticals, Inc.; Actavis Elizabeth, LLC. and Actavis, Inc.; Anchen Pharmaceuticals, Inc.* (Trilipix, fenofibric acid, and dyslipidemia)
- *Valeant International (Barbados) SRL v. Paddock Laboratories LLC;* (Aplenzin (follow-on to Wellbutrin XL), bupropion hydrobromide)
- AmeriGas/Heritage (propane)
- *Thermal Design, Inc. v. American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.* (standard setting, insulation)
- Cameco/NUKEM (uranium)
- *AstraZeneca LP and AstraZeneca AB v. Breath Limited et al.*(Pulmicort Respules, budesonide)
- *Noven Pharmaceuticals, Inc. v. Watson Laboratories, Inc. and Watson Pharmaceuticals, Inc.* (Daytrana, Methylphenidate transdermal patches)
- *Mylan Pharmaceuticals, Inc., Rochester Drug Co-Operative, Inc., Meijer, Inc., Meijer Distribution, Inc., American Sales Company, LLC, and International Brotherhood of Electrical Workers Local 38, Health and Welfare Fund v. Warner Chilcott Public Limited Company, et al.* (Doryx, doxycycline hyclate)

Exhibit 2: Materials Considered

Legal Documents

[Proposed] Order Granting Preliminary Injunction Against Defendants Hanmi Usa, Inc., Hanmi Pharmaceutical Co., Ltd., Hanmi Fine Chemical Co., Ltd, And Hanmi Holdings Co., Ltd.

[Proposed] Order Granting Temporary Restraining Order Against Defendants Hanmi Usa, Inc., Hanmi Pharmaceutical Co., Ltd., Hanmi Fine Chemical Co., Ltd, And Hanmi Holdings Co., Ltd.

AstraZeneca's Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Injunction Pending Appeal

Complaint for Patent Infringement and Certification Pursuant to Local Rule 11.2 in AstraZeneca v. Hanmi

Complaint in Pfizer v. FDA, Mark McClellan and Tommy Thompson

Memorandum Of Points And Authorities In Support Of Plaintiffs' Motion For Injunction Pending Appeal

Memorandum Opinion Of Bongiovanni, Magistrate Judge In Astrazeneca V. Hanmi

Notice Of Plaintiff's Motion For Injunction Pending Appeal

Settlement Agreement between AstraZeneca, KBI, Amneal and Hanmi, USA, May 21, 2013

U.S. Patent No. 5,714,504

U.S. Patent No. 5,877,192

Data

2001 - 2007 NSP Paxil Pexeva 082713.xls

Aged Dat Data Mikhail Amneal 2 Current 2008-2013.xls

Aged Data Mikhail Amneal 1 Current 2008-2013.xls

Aged Data Mikhail Amneal 3 Current 2008-2013.xls

Aged Data Mikhail Amneal 4 Current 2008-2013.xls

NPA_Amneal 1 Aged 2001-2007 082213.xls

NSP Amneal 3 2001-2007.xls

NSP_Amneal 1 082213 2001-2007.xlsx

Exhibit 2: Materials Considered

Paxil Pexeva 2008-2013 082613.xls

Bates Numbered Documents

AZPI 001-786

AZPI 000100

AZPI 000101

AZPI 000151

AZPI 000399

AZPI 000530

Articles

Caves RE, Whinston MD, Hurwitz M, Pakes A, Temin P (1991), "Patent Expiration, Entry, and Competition in the U.S. Pharmaceutical Industry," Brookings Papers on Economic Activity; Microeconomics, 1991.

Grabowski H, Long G, Mortimer R. "Implementation of the Biosimilar Pathway: Economic and Policy Issues," Seton Hall Law Review, vol (41) 2.

Grabowski HG, Vernon JM (1992). "Brand Loyalty, Entry, and Price Competition in Pharmaceuticals after the 1984 Drug Act," Journal of Law and Economics, 35.

Hollis A (2002), "The Importance of Being First: Evidence from Canadian Generic Pharmaceuticals," Health Economics, 11.

"Pfizer buys right to OTC heartburn drug Nexium," Yahoo Finance, August 13, 2012; <http://finance.yahoo.com/news/pfizer-buys-rights-otc-heartburn-220241928.html>

"Synthon Pharmaceuticals' PEXEVA Brings Big Savings to SSRI Market," BioSpace, March 18, 2004; <http://www.biospace.com/News/l-pexeva-brings-big-savings-to-ssri-market/15489920/So>

http://articles.economictimes.indiatimes.com/2007-07-17/news/28490329_1_lupin-tablets-managing-director-kamal-sharma

<http://osteoporosis.emedtv.com/fortical/generic-fortical.html>

Exhibit 2: Materials Considered

http://www.accessdata.fda.gov/scripts/cder/ob/docs/patexclnew.cfm?Appl_No=021153&Product_No=001&table1=OB_Rx

<http://www.businesswire.com/news/home/20050816005531/en/Upsher-Smith-launches-Fortical-Nasal-Spray-postmenopausal-osteoporosis>

http://www.cedrugstorenews.com/userapp/lessons/page_view_ui.cfm?lessonuid=&pageid=D5B9DCC03556C28694B51161244B36F9

<http://www.fda.gov/drugs/developmentapprovalprocess/ucm079068.htm>

<http://www.lachmanconsultants.com/the-505b2-pathway-is-alive-and-well-first-south-korean-nda-drug-product-approved.asp>

<http://www.law360.com/articles/1019/pfizer-sues-dr-reddy-s-over-anda-for-norvasc-generic>

<http://www.law360.com/articles/263/fda-approval-expected-to-set-off-legal-battle>

<http://www.law360.com/articles/4421/pfizer-and-mylan-back-to-court-in-lengthy-dispute>

<http://www.law360.com/articles/5031/court-upholds-pfizer-patent-for-norvasc>

<http://www.law360.com/articles/53055/astrazeneca-ranbaxy-settle-nexium-patent-dispute>

<http://www.law360.com/articles/919/fda-to-review-approval-of-norvasc-generic-as-505-b-2-gateway-is-tested-in-court>

<http://www.prnewswire.com/news-releases/ranbaxy-and-astrazeneca-reach-agreement-in-esomeprazole-patent-litigation-57428867.html>

<http://www.rediff.com/money/2003/nov/04drl.htm>

<http://www.rxtimes.com/over-the-counter-nexium/>

<http://www.sharecare.com/health/calcium-regulator/miacalcin-the-same-as-fortical;jsessionid=ACD0459D7D2A5E8FFF62B1BC3559215C>

<http://www.theguardian.com/business/marketforceslive/2010/jan/07/astrazeneca>

[http://www.wikinvest.com/stock/Pfizer_\(PFE\)/Norvasc_Amlodipine](http://www.wikinvest.com/stock/Pfizer_(PFE)/Norvasc_Amlodipine)

Declarations

Declaration of Maureen Japha and Exhibits

Declaration of Nimish Vakil and Exhibits

Exhibit 2: Materials Considered

Declaration of Robert Maresca

Declaration of Robert Navarro and Exhibits

Interviews

Interview with Dr. Robert Hardi

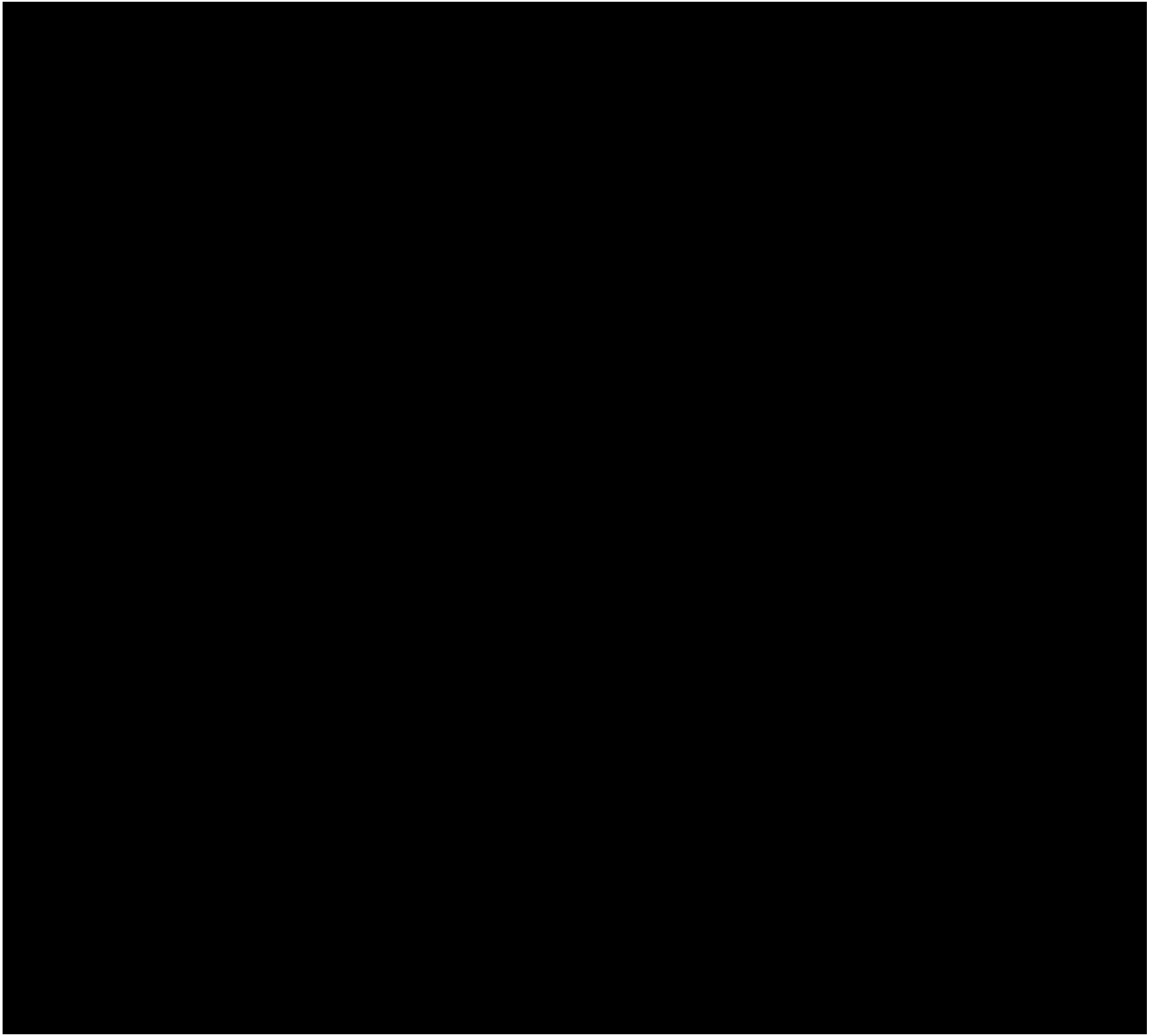


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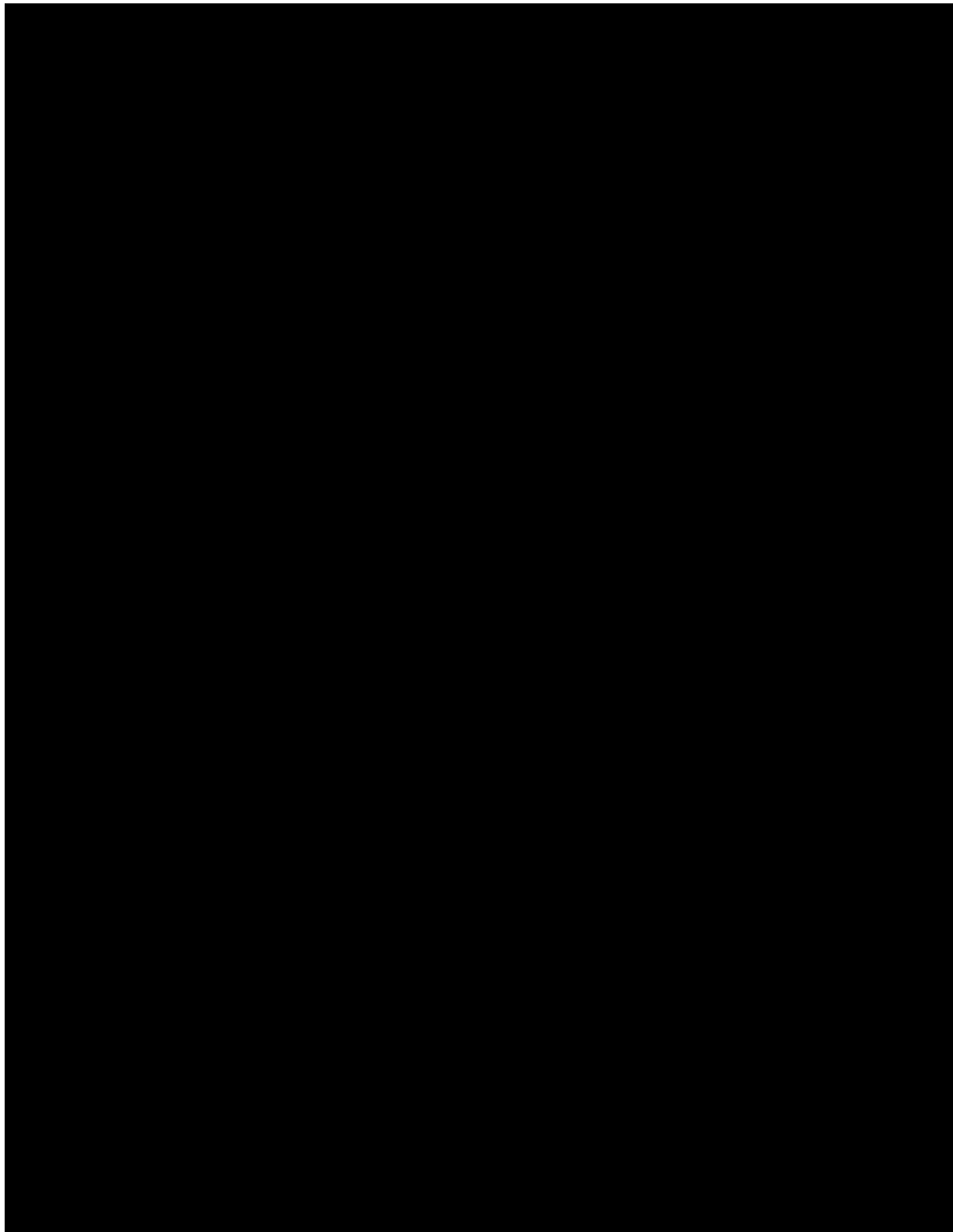


Exhibit 5

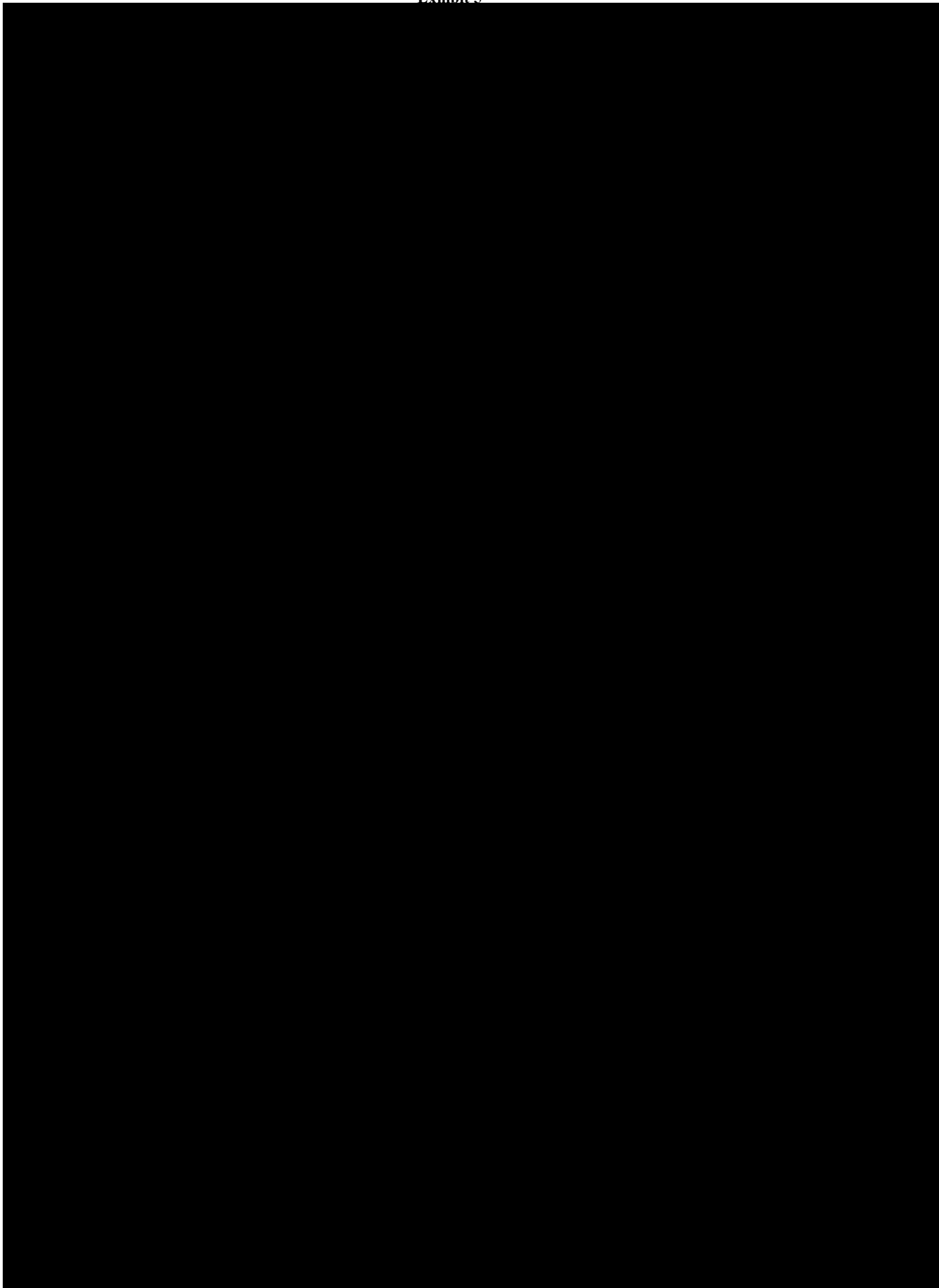


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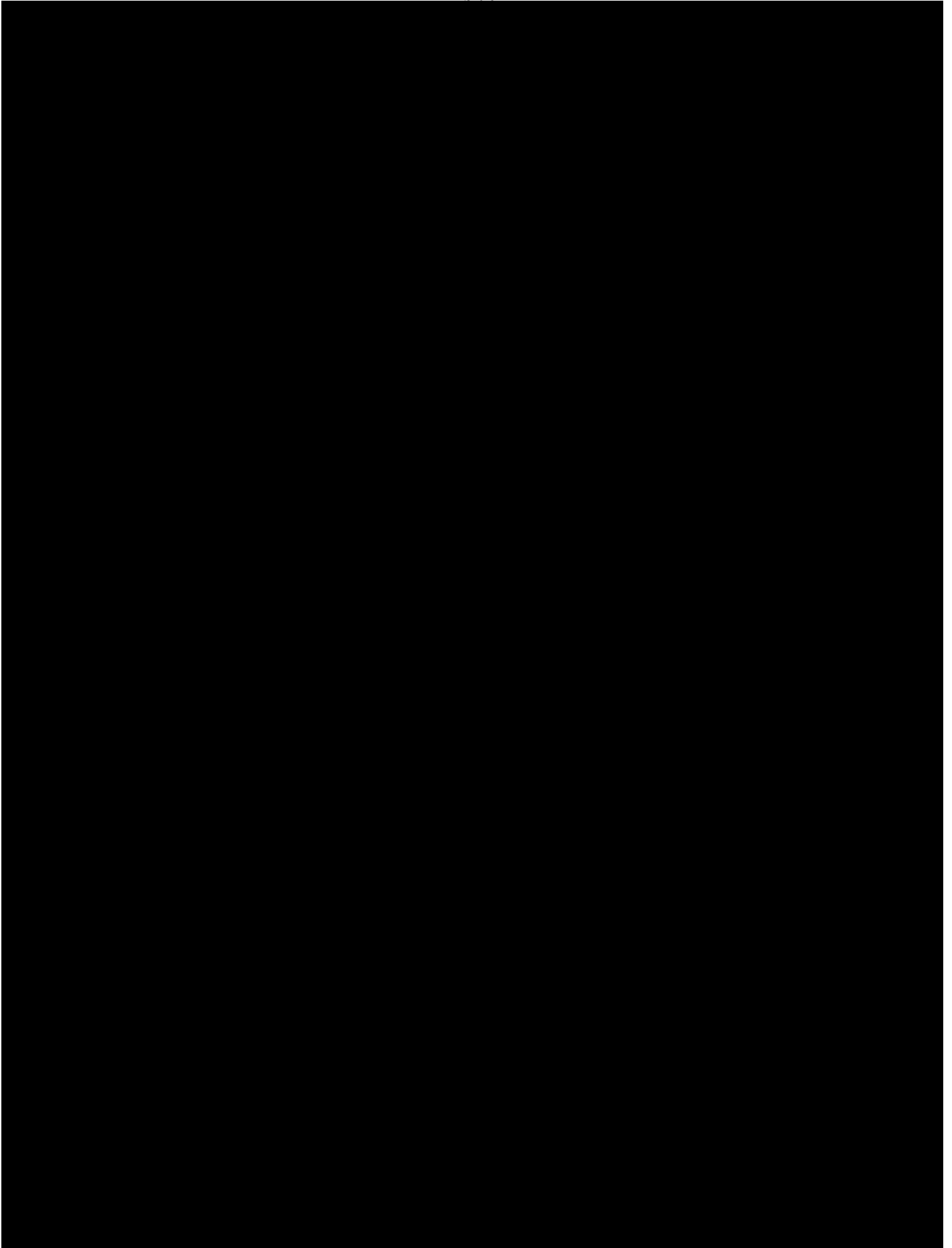


Exhibit 7

